

आधुनिक भारत के निर्माता BUILDERS OF MODERN INDIA आधुनिक  
ভারতের স্রষ্টা আধুনিক ভারতের নির্মাতা আধুনিক ભારતના ધડવેયા બંધનક  
ಭಾರತದ ನಿರ್ಮಾಪಕರು आधुनिक भारतचे शिल्पकार आधुनिक ଭାରତର

BUILDERS OF MODERN INDIA

K.M. MUNSHI

V.B. KULKARNI

நவபா ரதச் சிற்பிகள் നവഭാരത നിർമ്മാതാക്കൾ  
নব ভারত নিৰ্মাতৃকল

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PUBLICATIONS DIVISION

निर्माता आधुनिक-भारतस्य निर्मातारः नव-भारत के निर्माता  
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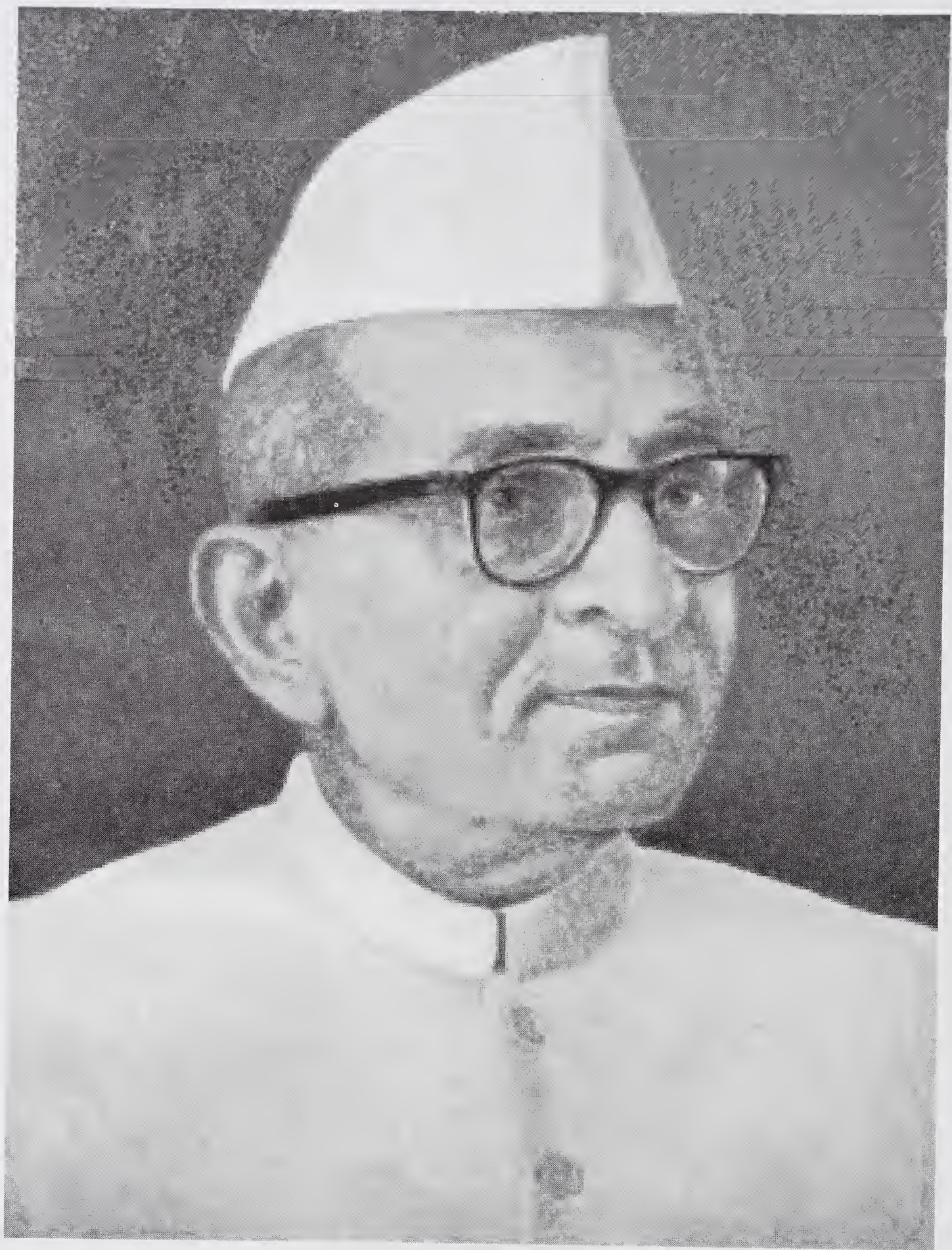




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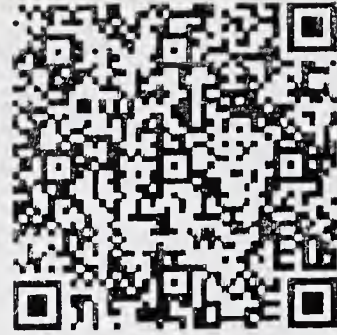
**K. M. MUNSHI**

V. B. KULKARNI



**PUBLICATIONS DIVISION**  
MINISTRY OF INFORMATION AND BROADCASTING  
GOVERNMENT OF INDIA

*Ist Edition: 1959 (Saka 1881)*  
*Fifth Reprint: 2014 (Saka 1936)*



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ISBN 978-81-230-1917-8  
BMI-ENG-REP-013-2014-15

**Price : ₹ 205.00**

Published by the Additional Director General, Publications Division,  
Ministry of Information and Broadcasting, Government of India,  
Soochna Bhawan, C.G.O. Complex, Lodhi Road, New Delhi - 110 003.

Website: [publicationsdivision.nic.in](http://publicationsdivision.nic.in)

**Editor: Krishna Prasad M.V. / Bidur Bharti**

**Cover Design : Asha Saxena**

**Sales Centres :** • Ambica Complex, Ist Floor, Paldi, **Ahmedabad - 380007** • Ist Floor, 'F' Wing, Kendriya Sadan, Koramangala, **Bengaluru - 560034** • 'A' Wing, Rajaji Bhavan, Besant Nagar, **Chennai - 600090** • Hall No. 196, Old Secretariat, **Delhi - 110054** • Soochna Bhawan, CGO Complex, Lodhi Road, **New Delhi 110003** • House No.7, New Colony, Cheni Kuthi, K.K.B. Road, **Guwahati - 781003** • Block No. 4, Ist Floor, Gruhakalpa Complex, M.G Road, Nampally, **Hyderabad - 500001** • 8, Esplanade East, **Kolkata - 700069** • Hall No. 1, 2nd Floor, Kendriya Bhavan, Sector H, Aliganj, **Lucknow - 226024** • 701, B-Wing, Kendriya Sadan, CBD Belapur, **Navi Mumbai - 400614** • Bihar State Co-operative Bank Building, Ashoka Rajpath, **Patna - 800004** • Press Road, Near Govt. Press, **Thiruvananthapuram - 695001**

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Typeset at : **AAR Reprographics, Lajpat Nagar-IV, New Delhi-110024**

Printed at : **Sita Fine Arts Pvt. Ltd., New Delhi-110028**



## **ABOUT THE SERIES**

The objective of this series is to record, for the present and future generations, the story of the struggles and achievements of the eminent sons and daughters of India who have been instrumental in our national renaissance and attainment of independence. Except in a few cases, such authoritative biographies have not been available.

The Series is planned as handy volumes written by knowledgeable people giving a brief account, in simple words, of the life, time and activities of these eminent leaders. They are not intended either to be comprehensive studies or to replace the more elaborate writings.





## PREFACE

When the invitation from the Publications Division of the Government of India came to me to write the biography of Mr. K. M. Munshi for its Builders of Modern India Series, I readily accepted it. I knew Mr. Munshi well, especially during the last decade of his life. His health was not always good, but the brilliance of his mind remained undimmed. He could discuss any difficult subject with ease and authority. I often asked him disconcerting questions on the “ifs” of history.

For instance, what would have been the fate and future of India if his campaign for *Akhand Hindustan* or undivided India had succeeded? In that event, how would the free institutions in the country have fared? Again, would parliamentary democracy have struck deeper roots in the Indian soil if there had been a stable division of political power between two more or less evenly matched parties, as in Britain, for example? Drawing liberally from his vast knowledge and experience, Mr. Munshi unhesitatingly gave the most comprehensive and convincing answers. He often engaged me in a detailed discussion on the powers of the President of the Indian Union and of the Governors of States.

On all such occasions, Mrs. Lilavati Munshi used to be present. She did not choose to participate actively in our discussions but her occasional observation, apt and brilliant, gave a new zest to our talk. Mr. and Mrs. Munshi were a remarkable couple and it was both a pleasure and a privilege to be in their cultured company.

I am indebted to the Bharatiya Vidya Bhavan for placing at my disposal all the necessary material for writing this biography. Mr. S.Ramakrishnan, its Executive Secretary, who was close to Mr. Munshi, readily enlightened me on some of the points which needed elucidation. Mr. S.C.Tolat, who also knew the Munshis well, was equally obliging. Mr. C.K.Venkataraman showed exemplary patience and promptitude in giving me whatever literature I wanted. I am indebted to my daughter, Mrs. Pramila S.Kulkarni, for preparing the index to this book. As in the case of my other books, Mr. V.A.E. Rasquinha was most helpful to me in the preparation of this volume.

V. B. KULKARNI



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# I

## Early Years

**K**ANHAIYALAL MANEKLAL MUNSHI was a great Gujarati and an eminent Indian. He was endowed with a wideranging and versatile mind and was undoubtedly an outstanding builder of modern India. He admired the antiquity and amplitude of his country's heritage and was proud of the fact that it had contributed to the enrichment of the civilization of one-fourth of the human race. He could see the indelible imprints of this contribution in large parts of South-East Asia. Munshi was, however, a realist. He saw the futility of seeking to revive an irretrievable past but was convinced that India's future greatness should be founded on her historic achievements. He accordingly built a number of cultural and educational institutions, of which the Bharatiya Vidya Bhavan is the greatest monument to his vision and veneration for all that is great and noble in his motherland.

In dynamism and restlessness, Munshi resembled Bismarck, the great German statesman of the nineteenth century. It was said of Bismarck that he was by temperament one whom life consumed but rest killed. Munshi was endowed with a similar temperament. He was like the busy smith with many irons in the fire. He was a lawyer and even in an era of legal giants he rose to the pinnacle in his profession. He would have won many more glittering prizes had he given his undivided attention to his legal practice, but his abounding and creative energies drove him relentlessly into ever-widening fields of

activity. He enthusiastically joined the great movement for national liberation by interrupting a successful legal career and spurning the sweets and delights of an affluent life. His sacrifice was remarkable since in his earlier years he had felt the pangs of penury.

Munshi was, however, much more than a lawyer and a patriot. He was a distinguished man of letters whose contribution to Gujarati literature is as immense as it is durable. He wrote in an endless stream novels, stories, romances, historical and *puranic* dramas, biographies and critical miscellaneous essays, including addresses. And yet this colossus of Gujarati literature began his literary career by writing in English. He felt for sometime in his early years that he would never be able to master the elusive foreign tongue, but he soon realised that a truly educated man had no vernacular. He accordingly set out to gain proficiency in that language and succeeded admirably in his attempt. His numerous books in English fully bear this out. In fact, he could set off the most trifling common places in the most superb language.

Munshi was also a scholar who had studied with deep diligence the abundant literature of both his motherland and the West. He loved Sanskrit, knowing that it held the key to the immense storehouse of Indian knowledge and enlightenment. As a student of literature, he was naturally drawn towards Indian art and architecture which at one time had become the envy of mankind. Munshi was an idealist and a thinker but he spurned the temptation of immuring himself in the ivory tower. He was a humanitarian and a reformer. Both as a creative writer and as a journalist, he poured out a steady stream of literature pleading for the liberation of the Indian society from the shackles of a dead past. He was also an able administrator and proved his mettle as a minister both at the State and the national level. He



thus played numerous roles and yet he was always unhurried, relaxed and easily accessible. His wife, Mrs. Lilavati Munshi, was a tower of strength to him. She was indeed a remarkable lady whose considerable literary talents and sacrifice in the cause of the nation have entitled her to an honoured place among the eminent women of India.

Munshi was born on December 30, 1887 at Broach, a town in Gujarat State on the Gulf of Cambay. A port town, it was an important Buddhist centre in the seventh century. Till the fourteenth century it was the chief port of Western India. Munshi claimed his lineage from an ancient Brahmin family which displayed a remarkable capacity for survival and for gaining reasonable affluence through judicious adaptability. In addition to its resilience, it had learnt the value of strictly adhering to the traditions of learning and enlightenment. Since the establishment of the Sultanate of Delhi in the thirteenth century, there was a steady expansion of Muslim rule in large parts of the Indian sub-continent. Like the rest of their countrymen, the Munshis submitted to the inevitable with a sense of realism. One of them was stated to have been in the service of Sultan Muhammad Bin Tughlug, who ascended the throne of Delhi in 1325. The Sultan has gone down in history as a parricide and as an eccentric of rare vintage. He was undoubtedly a monster of cruelty but he was also a learned man with a high sense of justice. He cheerfully accepted punishment for wronging an eminent Hindu after he was found guilty by a fearless Kazi.

The Munshis were, however, not alone in moving with the times. While Muslim rule certainly established Islam as the religion of the rulers, it did not bring about any revolutionary change in the administrative and economic life of the country.

The Hindu intellectual classes such as the Kayasthas, the Khattris, the Pandits of Kashmir, the Amils of Sind and the Brahmins of Maharashtra contributed substantially to the ranks of the bureaucracy, thus helping to sustain the administrative standards. They quickly gained mastery over the language of the rulers, Persian, in order to qualify for superior positions in the government. There was also a sizable representation of Hindus in the armed services, with the Rajputs becoming the swordarm of the Moghul Empir and the Marathas playing a similar role in the Deccan.

The Munshi family history reveals that many of its members had attained great proficiency in Persian. One of them, Nandanlal, who flourished in the eighteenth century, became a noted scholar and poet in that language. The Moghul Emperor was mightily pleased with his literary attainments and granted him a jagir. His son, Harivallabh, rose in the service of the Nawab of Broach. Munshi's own father, Maneklal, served as Dewan for sometime in the Muslim-governed principality of Sachin in Saurashtra. Loyalty to the Government, irrespective of the religious beliefs of the rulers, had become an inviolable custom in the Munshi family. Maneklal, who served the British Raj and rose to become a Deputy Collector, did not like his son attending the annual sessions of the Indian National Congress.

From the days of Munshi's great grandfather, Karsondas, there was a marked change in the fortunes of the family. Thenceforward it became a family of lawyers, with law running in the veins of its members. Karsondas became a distinguished lawyer and was for sometime Government pleader in Surat and Thana. His son, Narbheram, Munshi's grandfather, pursued his parent's profession and was highly esteemed for his abilities. A British judge wrote thus about him: "A very clever and talented man. Bears a high character amongst the inhabitants of the city"



of Broach. Narbheram was then serving as Reader in the Broach Court.

Munshi's father, Maneklal, deviated from the hereditary path, but his elder brother, Parshuram, remained faithful to the family tradition. Munshi has presented a highly amusing account of the manner in which his uncle was able to secure the much-prized *sanad* of a High Court pleader. Parshuram journeyed to Bombay and put up in the city with a fellow-Gujarati who happened to be the Government pleader in the High Court. The pleader took the applicant to the Chief Justice for interview to test his knowledge of law.

The Chief Justice asked the pleader in English to question the candidate on the law of mortgage and what was meant by the term "equity of redemption". While Parshuram did not know English, the Chief Justice did not understand a word of Gujarati. Far from testing the candidate, the wily pleader addressed him thus: "Parshuram Munshi, are you married?" It was not a difficult question to answer! The second question was: "How many persons were invited on the occasion of your marriage feast and what were the dishes served?" This was also not a baffling question. The interview was successful and the candidate got the coveted *sanad*. The Chief Justice was told: "The Munshis suck in law with their mothers' milk".

As was the custom of those days, Munshi was married when he was still a teenager. At the time of his wedding he was barely thirteen years old, his bride, Atilakshmi, being nine years of age. When his father, Maneklal, married he was only nine years old; his mother, Tapibehn, was just six! Atilakshmi grew up into a beautiful woman and served her husband with the traditional devotion of a Hindu wife. She was, however, not educated so that, as Munshi rose to fame and affluence and widened the area of his activities, he found in her companionship



an intellectual void which deeply grieved him. He was, however, careful not to wound her feelings. He yearned for a partner in life who could appreciate the keenness of his mind, understand and applaud his literary creations, and hold her own in an intellectual society.

During his rise in Bombay he had met Lilavati who had by then become a celebrity as an accomplished writer in Gujarati. They would have made an ideal man and wife but both were married! When still a girl, she had been married to a wealthy but elderly gentleman, Lalbhai Seth. Like Munshi, she too was unhappy. The stars in their courses had, however, decided that Kanhaiyalal and Lilavati should be united in holy wedlock. While Atilakshmi died in 1924, Lalbhai left this world in the following year. With the consent and blessing of his mother, Tapi-behn, Munshi married Lilavati in 1926. The two opened a new chapter in their lives, inspiring each other to make new conquests in the vast kingdom of letters.

Munshi, however, found this domestic happiness long after he had completed his student days and had begun to make his mark in the legal profession in Bombay. The intervening period was full of ups and downs in his life. His father was an employee in the Revenue Department of the Government of Bombay on a small salary. Without the necessary educational qualifications he could not expect to make a successful career as an official. In 1900, he was posted to Broach as Deputy Collector. Munshi was sent to the local High School from where he matriculated. It was a great event in the family. Both then and long after till national independence, it was the ambition of most English-educated middle class families to make their sons members of the elite Indian Civil Service. Maneklal shared this dream but it came to nothing.

“Kanuu”, as Munshi was affectionately called, could not even go to Bombay, acclaimed as the *urbs prima* in India for

higher education. Instead he was sent to the Baroda College to take his degree from there. Baroda was then the capital of a large princely state, ruled by Sayajirao Gaekwad, an enlightened man who was determined to make it an ideally-governed principality. He was a man of vision who never allowed regional, linguistic or religious considerations to hamper the attraction of talent in his service. He recruited able men from different parts of the country so that the Baroda bureaucracy consisted of Gujaratis, Maharashtrians, South Indians and Bengalis. Notable among such employees was Aurobindo Ghosh who later won international renown as a revolutionary, scholar and saint. Young Munshi came under his spell during his college days.

Munshi was a voracious reader and studied with deep interest the European literature of revolt, extolling liberty and freedom, proclaiming the sanctity of human personality, and openly preaching rebellion against tyranny and oppression. Strangely enough, he admired Napoleon, a warrior statesman of unsurpassed brilliance. Napoleon could not, however, be regarded as an exemplar of those who believed in popular government. Munshi's admiration for Shivaji, founder of the Maratha Empire, was well-founded. The great Maratha could humble and send to its doom the mighty Moghul Empire with almost no resources of his own. Munshi was also strongly drawn towards Aurobindo Ghosh whom he regarded as his *beau ideal* in his student days and in later years as a luminous star in the spiritual and philosophical firmament of India. Aurobindo, who had spent over fourteen years abroad, returned to India in 1893 and accepted service in the Baroda State which he served till 1907. Curiously enough, he began his official career in the Settlement Department and was eventually transferred to the Baroda College to give lessons in French. Soon after, he became Professor of English. At the same time,



he helped Maharaja Sayajirao in writing letters, in drafting speeches and in drawing up specialised documents for His Highness.

A patriotic and sensitive young man like Munshi could not remain indifferent to the happenings in the country. After the brutal suppression of the revolt of 1857, Whitehall and its subordinates in India had begun to govern the country as if it had been conquered for the second time. Determined to make India England's permanent colony, they rigorously excluded Indians from taking even a modest share in the government of their own country. Deliberately ignoring India's great past, they maintained that the people of this country were congenitally incapable of managing their own affairs. Lokmanya Bal Gangadhar Tilak was not a believer in the policy of prayer and petition for gaining the national goal, but by no stretch of imagination could he be called an advocate of a bloody revolution. And yet he was stigmatised as a seditionist, an anarchist and a revolutionary. Among the non-revolutionary patriots of his times, Tilak was undoubtedly the most persecuted leader. In Bengal, the partition decision provided the spark for a conflagration that engulfed almost the entire country.

Lord Curzon, who hatched the plan for disrupting Indian nationalism in collusion with a cabal of like-minded imperialists, had gained the conviction that a united Bengal would become an irresistible power, but divided it would "pull several different ways". He held the Indian Vice-royalty from 1899 to 1905 and wrote within a year of his rule that one of his cherished ambitions was to send the great national organisation, the Congress, to its doom. Curzon was undoubtedly one of the greatest British proconsuls in this country. He was brilliant and industrious and worked for eleven hours a day. He was,



however, an uninhibited imperialist and dismissed Indian political aspirations as Utopian. His plea that the province of Bengal had grown unwieldy, thereby impairing the administrative efficiency in the outlying districts, was not wholly invalid. But this was only part of the reason and not the whole of it, for the object of administrative efficiency could have been gained by separating the non-Bengali areas from that province. The real intention was to stem the tide of nationalism. The bureaucracy apprehended danger to the durability of the Raj from the two most politically advanced groups, the Marathi-speaking Brahmins in the Deccan and the Bengali intellectual classes, the *bhadralok*. The partition of Bengal was clearly intended to drive a wedge between the Hindu and Muslim communities there. By making a liberal use of the immense mass of patronage at their command the Viceroy and his assistants succeeded in drawing the Muslim landed and educated classes into the government camp. Whitehall was deliberately kept in the dark about the real object of the project. “Even the Secretary of State for India”, writes R.P.Cronin, “was not privy to the innermost thoughts of the Viceroy and his key officials”.\*

The new province of East Bengal and Assam came into existence in October 1905, unleashing a convulsive movement not only in the Bengali-speaking areas but in most parts of the country. The *Swadeshi* movement aimed at buying only India-made goods, received a tremendous fillip. Great political leaders unanimously condemned the Government’s move to sabotage Indian nationalism. While the veteran patriot Dadabhai Naoroji, characterised the partition as a “blunder”, Gopal

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\**British Policy and Administration in Bengal, 1905-1912: Partition and the New Province of Eastern Bengal and Assam* by Richard Paul Cronin, Firma KLM Private Ltd., 1977, p. 1.

Krishna Gokhale, that exemplar of moderation and mildness, declared with unaccustomed heat that the Government's action showed "its utter contempt for public opinion, its arrogant pretensions to superior wisdom, its reckless disregard of the most cherished feelings of the people". There was countrywide determination to unsettle what was claimed to be a settled fact. The annulment of the partition in 1911 marked the triumph of Indian nationalism, making the event even more significant than the abortive uprising of 1857. It was impossible for young nationalists like Munshi not to be deeply stirred by such epoch-making developments.

Munshi was, however, not directly drawn into the vortex of the anti-partition movement because he was in a princely state at the time where agitation against the British Raj were not encouraged. This was so in all the protected principalities in the country. When he was still studying for junior B.A. in 1905, Munshi took a first-class in the first year LL.B. examination, winning the Ambalal Sakerlal prize. He passed the B.A. degree examination in the following year, scoring 60 per cent marks in English, which got him the Elliot Memorial prize. Four years later, in 1910, he qualified for the legal profession by passing the final LL.B. examination. He decided to settle down in Bombay to make his fortune in that great metropolis. It would be appropriate to discuss in the next chapter the political situation in the country before proceeding to trace Munshi's career as a lawyer.



## II

# State of the Country

MUNSHI WAS ENDOWED with extraordinary intelligence and imagination, but in politics he was essentially the product of his times. He shared the widely prevalent contemporary feeling that India's freedom from foreign rule should be sought by a strict adherence to the doctrine of gradualness. His knowledge of history convinced him about the positive aspects of the British Raj. After the collapse of the Moghul and the Maratha Empires, the country had sunk into unprecedented disorder and violence. The Pindari and *thagi* depredations had reduced large parts of the country into chronic centres of insecurity, plunging millions of people into indescribable misery. The new rulers thoroughly destroyed the lawless hordes, brought the entire sub-continent within the frame of a government whose edicts could be challenged by none with impunity. The Raj also established a reign of law, which provided the foundation for the new system of government.

The concept of personal liberty, enshrined in the writ of *habeas corpus*, and the doctrine that no person could be deprived of his liberty without the due process of the law were something new to ancient Indian jurisprudence. Besides giving the country a firm, clean and efficient government, the new rulers encouraged the study of India's civilization and placed before the world the fruits of their research and scholarship. Indologists such as Nathaniel Halhed, Charles Wilkins, James Prinsep, Henry Colebrooke, H.H. Wilson and William Jones



worked tirelessly in unearthing the almost forgotten literary and philosophical treasures of the land, making them readily accessible to the scholar and the common man alike. Acclaimed as a prodigy of learning and as a linguistic genius, Sir William Jones attained an astonishing mastery over India's classical language, Sanskrit, which, in his view, was of "wonderful structure — more perfect than Greek, more copious than Latin, and more exquisitely refined than either".

The introduction of quick means of transport and communication shortened distances in the sub-continent, contributing to an unprecedented mobility of the population. A Perceptive observer declared that the railways welded India into a nation. Security of travel and the speed at which destinations could be reached helped Indians, and more especially the English-educated class, to come closer together and to discuss their common problems. English, which had opened for them the doors of Western learning and had become a powerful instrument for stimulating their national aspirations, became their *lingua franca*. "The introduction of English education", wrote the veteran leader, Dadabhai Naoroji, "with its great, noble, elevating and civilizing literature and advanced science, will for ever remain a monument of good work done in India and a claim to gratitude upon the Indian people". Indeed, it was the new learning, disseminated through this foreign medium, which created in India a new class imbued with social purposes, unusual to Hindu thought.

The value of British rule was a strong disincentive for Indian politics to become radical from its inception. A much stronger reason was the profound faith in the *bona fides* of Whitehall. The uprising of 1857 carried both a lesson and a warning. Long before this convulsive event, Raja Ram Mohan Roy (1774-1833) had admonished his countrymen against

haste. He said: "When we have to depend by the very conditions of our existence on all things and all beings in nature, is not this fiery love of national independence a chimera? India requires many more years of British domination". Long after him, this belief was shared by most politicians till the advent of Mahatma Gandhi to the country's supreme leadership.

It is not without significance that the initiative for founding the Indian National Congress in 1885 came from a former British civil servant, Allan Octavian Hume. On one issue, Indian politicians were not prepared for any compromise. They wanted parliamentary institutions of the Westminster type for their country. The new system of education had thoroughly indoctrinated them with the British ideas and ideals of government. Even before the Congress met for its first session in 1885, the prospectus issued by it declared: "Indirectly this Conference will form the germ of a Native Parliament". A resolution at the first session of the Congress maintained that "a considerable portion of elected members" was necessary both for the Central and Provincial Legislative Councils. At its second session in 1886, it demanded that elected members should constitute at least one-half of all the Councils. It sometimes drew up its own schemes for constitutional progress. Its Home Rule Scheme of 1889, besides providing for the liberalisation of Indian representation in the legislatures, envisaged adult suffrage on the basis of certain qualifications. In 1895, a regular Constitution Bill was framed incorporating all the essential features of a democratic government. It was believed to have been drawn up under the inspiration of Tilak.

The Congress demand for political concessions was thus insistent and forthright but till the coming of Gandhi, it had no counterpart in action. Congressmen of the earlier generation were no political evangelists, determined to pursue their goal at



all costs. They were constitutionalists to the core, their attitude towards the Raj being a mixture of admiration and awe. Many of them believed that Britain's dominion over their motherland was a divinely-inspired arrangement. Mahatma Gandhi, who later blossomed forth into Britain's most formidable rebel, held strikingly similar views at the time on the value of British connection with India. The Mahatma, who went to South Africa in 1893 and returned to India only in January 1915, was as moderate in his political convictions as his exemplar, Gokhale. Writing in *Indian Opinion* on June 1, 1907, Gandhi strongly criticized Lala Lajpat Rai for demanding the abolition of British rule. He considered Indo-British connection indispensable because public spirit was "not likely to grow among us without Western education and contacts with the West". Indians must deserve before they desired national freedom. Besides, the British gave protection to this country. He declared candidly that it was not "desirable that British rule in India should disappear".\*

Such loyalty, perhaps rare in the history of any dependent people, evoked no favourable response. The Morley-Minto Reforms, leading to the framing of the Indian Councils Act of 1909, was acclaimed as marking a break with the past. There is indeed no foundation for any such claim. The statute merely broadened the representation authorised by the Council Act of 1892. Except for offering better opportunities for debate, the reformed legislatures did not change their basic character as mere *darbars*. Nomination remained the dominant factor in the selection of members who were divided into three different categories, namely, nominated official members, nominated non-official members and elected members. The disruptive system of

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\**The Collected Works of Mahatma Gandhi*, Volume VII, Publications Division, Government of India, pp. 6,7.



representation by communities was introduced in response to the demand by Muslim vested interests so that there was no uniformity in the methods and principles of voting.

The First World War, which broke out in Europe in August 1914, shattered the smug British belief that in a changing world the British empire was the only stable thing. It was a global conflict which, besides destroying lives and limbs, smashed the *status quo* to smithereens. The war gave a tremendous impetus to Munshi's patriotic fervour. He believed with many of his forward-looking countrymen that Britain's necessity was India's opportunity. His interest in politics began in 1903 when he was in the first year of his college career. The Congress session of that year was presided over by Surendranath Banerjee who was acclaimed as the Indian Demosthenes of his times. Six years later in 1909 Munshi attended the Surat Congress, enthusiastically serving as a volunteer in the camp of the so-called extremists. In 1915, by which time he had started practice on the Original Side of the Bombay High Court, Mahatma Gandhi returned to India. Some years earlier, H.S.L. Polak, the Mahatma's great friend in South Africa, had visited India and spent some hours with Munshi in his home town of Broach on his way to Bombay. Discussing the relative merits of the Indian leaders, Polak told him: "Not one of them is fit to hold a candle to Mr. Gandhi". Munshi was mightily impressed with the Mahatma's achievements in South Africa but reserved his judgment on the newcomer's stature.

Munshi was fascinated by Mrs. Annie Besant's dynamism and enthusiasm for Indian independence. Dr. Besant was undoubtedly the most remarkable British woman. She came to India in 1893 and made it her home sharing in full measure the joys and sorrows and the triumphs and humiliations of its people. She was a mettlesome lady and made no bones about

advocating violence to gain national ends. “Violence”, she said, “is the recognised way in England of gaining political reforms”.\* Although she moderated her views in later years, she remained a fiery advocate of India’s liberation from British rule. She started the Home Rule League on September 25, 1915 and made it a countrywide organisation by enlisting influential support and through tireless press and platform propaganda. She never intended that her League should become a rival of the Congress.

Lokmanya Tilak, who was fed up with the politics of Congress moderates whose platform oratory had absolutely no counterpart in action, liked Dr. Besant’s move and started his own Home Rule League at Poona in April 1916 with Joseph Baptista as President and N.C.Kelkar as Secretary. He explained the need for such a body since the Congress had become “too unwieldy to be easily moved to prepare a scheme for self-government and actively work for its political success”. At the same time, he made it clear that the League’s movement was not an exclusive one. Very soon the Lokmanya (respected by the people) became the hero of the masses, causing convulsions in the bureaucratic ranks.

A branch of Dr. Besant’s All-India Home Rule League was opened in Bombay with M. A. Jinnah, then and for many years later the darling of the Indian elite, as President and M.R. Jayakar, an eminent jurist and scholar, as Vice-President. Munshi, along with a number of other intellectuals, joined the League and worked tirelessly to carry its message in the city and to many parts of Gujarat. Munshi was most active and took a leading part

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\**Struggle For Freedom: The History and Culture of the Indian People*, Volume XI, Bharatiya Vidya Bhavan, 1969, p. 233.

General Editor: R. C. Majumdar.



in preparing the necessary literature about the movement for wide dissemination. Inspired by Dr. Besant's example, he started a weekly paper *Young India* and edited it along with Jamnadas Dwarkadas. Indulal Yagnik started the monthly *Navajivan* in Gujarati. Neither in the Bombay province nor elsewhere in the country did the League intend to supplant the Congress, but it certainly strove to galvanize the national organisation to purposeful activity. As Munshi has written: "A new spirit had come over the public life of the Province".

The League's attitude towards the British policy on Indian reforms was pragmatic and rested on the principle of responsive cooperation. The Secretary of State for India, Edwin Montagu's famous declaration of August 1917 was at first joyfully welcomed, acclaiming it as a *Magna Carta* for India. According to the declaration, the policy of the Government was "that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire". The declaration added significantly that the Government would be the sole judge of the time and measure of each advance which could only be by "successive stages" before the blessed goal could be reached. Progress, no matter how slow, could be made only on the basis of unstinted cooperation by the Indian people.

It was a sonorous but unsubstantial declaration. The fact that it was drafted by Lord Curzon, the arch enemy of Indian freedom, proved its emptiness. The Montagu Chelmsford Reforms, based on that declaration, could not by any stretch of imagination be interpreted as a genuine essay in responsible government. And yet they were extravagantly praised and compared with the famous Durham Report on Canada. The



Durham scheme of 1839 was not a full fledged Dominion Constitution for Canada, but it undoubtedly furnished a habitable posting house towards freedom. No such claim could be honestly made on behalf of the Montford Report which, presumably influenced by the well-known publicist and imperial handyman, Lionel Curtis, provided for a novel and thoroughly unworkable system of dyarchy.

Munshi greatly liked his League work but it did not last long. Some of its members, including Jinnah, Jamnadas Dwarkadas and Umar Sobhani, wanted to enroll Mahatma Gandhi as a member. This was not liked by others such as Jayakar. At a meeting to which Gandhi was invited, Jayakar explained that the Mahatma was “an all India man” and a “world figure” while the League was a relatively small organisation. It was necessary to keep its policies, methods and activities “variable”, to suit the Government’s attitude to the Indian demand. Such resilience was likely to conflict with Gandhi’s “gospel of love and peace”. The Mahatma produced his own arguments and succeeded in securing admission.\*

Jayakar’s apprehension that the Mahatma would gain absolute control over the organisation and make his own “fads” prevail came true. Munshi, who had stubbornly resisted being swept off his feet by the “saintly whirlwind”, noted that with the advent of the Mahatma the League changed its ideas and ideals completely. He wrote: “Gandhiji was elected President of the All-India Home Rule League and some of my friends who thought they were king-makers, found to their surprise that he was no king log. No resolution could be adopted unless it was drafted by him. We had no chance to have votes taken;

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\**The Story of My Life (1873-1922)* by M. R. Jayakar, Volume I, Asia, 1958, pp. 317-18.

a few minutes' discussion reduced every one to passive acquiescence. And in a short time we found that his popularity was growing so immense that far from our having obliged him by installing him in that place, it was he who obliged us by remaining with us".

Gandhi changed the name of the All-India Home Rule League and called it Swarajya Sabha. He also drastically amended the aims and objects of the League. The Swarajya Sabha would strive to "secure complete *swaraj* for India according to the wishes of the Indian people" and would carry on a "continuous propaganda" to organise them in order to attain this goal by "peaceful and effective action". Many influential members refused to endorse these changes on the ground that the new constitution of the organisation "deliberately" omitted any reference to British connection and that it made "unconstitutional and illegal activities" possible provided they were "peaceful and effective". They, therefore, decided to leave the League. Among those who resigned were Jinnah, Jayakar, Munshi, H.V. Divatia, Jamnadas Dwarkadas, Nagindas T. Master, Jamnadas M. Mehta, Mangaldas M. Pakvasa, Gulabchand Devchand and Hiralal Nanavaty.\*

Defending himself in the press, the Mahatma maintained that *swaraj* was the country's major goal and that it did not matter whether it was attained with or without the British connection. "I personally hate", he wrote, "unconstitutionalism and illegalities, but I refuse to make a fetish of these as I refuse to make a fetish of the British connection". He appealed to the

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\*The above list of names has been taken from Jayakar's *The Story of My Life*, Volume 1, p. 405 and Munshi's *I Follow the Mahatma*. While the former gives six names, the latter mentions nine.

*Follow the Mahatma* by K. M. Munshi, Allied Publishers, 1940, p. 6.

seceding members to reconsider their decision but they did not. Munshi was not yet prepared to follow the Mahatma. He wrote: “Gandhiji was a phenomenon which compelled admiration, but to me he remained incomprehensible”. He felt that active legal practice would be far more rewarding than the pursuit of Congress or League politics.



### III

## The Lawyer

MUNSHI WENT TO BOMBAY on July 22, 1910, to receive his law degree and to make his career there. He had visited the city several times before and knew that it could become the most hospitable home for the successful but pitiless to those that failed. He had no resources of his own to fall back upon nor did he have rich cousins to maintain him during the period of his enforced idleness. The spectacle presented by the Bombay Bar was least reassuring. Since its inception, it had the tradition of being one of the strongest in India. It abounded in lawyers of gigantic stature. In the earlier generations there were such eminent practitioners as Vasudev Jagganath Kirtikar, maternal grandfather of M.R. Jayakar, Badruddin Tyabji, Phirozeshah Mehta, Vishwanath Narayan Mandalik, Shantaram Narayan and K. T. Telang. European barristers, for whom there was a marked preference in those days, were also strongly represented at the Bombay Bar.

In Munshi's own time, the Bar looked like a heavily-guarded fortress. Men of great legal acumen, ability and experience manned its battlements, making it nearly impossible for outsiders to storm them with success. There was In-verarity, with his phenomenal memory and remarkable ability both as a lawyer and as an advocate. He was, however, in the evening of his life at that time. Sir Jamshedji Kanga, who rose to become the Advocate-General, was an able lawyer with an equally

astounding memory. Strongman, who also served as Advocate-General, was another giant at the Bar and was for some years Munshi's *bete noire*. He was an arrogant man who rarely forgot that he belonged to the ruling class. He and M. A. Jinnah could never brook each other's presence. Impeccable in his professional etiquette, Jinnah was justly famous as an advocate but he was poor as a lawyer.

Sir Chimanlal Setalvad was, yet another stalwart at the Bombay Bar. He was industrious and methodical and had a thorough knowledge of legal principles. In his arguments he produced no epigrams or recalled witty sayings and displayed a chilly scorn for all rhetoric. He offered no entertainment but appealed to the mind and the intellect. There was M. R. Jayakar, whose sound knowledge of Hindu Law, with particular reference to the law of adoption, got him large practice. Bhulabhai Desai, in whose chambers Munshi worked for some years, was endowed with many qualities which brought him the most glittering prizes in the legal profession. His mastery over the English language and his oratory, combined with his sound knowledge of law, ensured that he became a luminous star at the Bombay Bar. Munshi's other and relatively younger contemporaries like Motilal Setalvad, Sir Harilal Kania, N. H. Bhagwati, C. K. Daphtary, M. P. Amin and M. V. Desai, eventually rose to great positions after spells of trial and tribulation at the Bar.

Apart from the fact that a tiny close corporation of talent, experience and influence controlled the great prizes of the profession, the dual system was a further deterrent to young lawyers' achieving early fame and affluence. Among the High Courts in India, only those of Bombay, Calcutta and Madras had original jurisdiction, the rest being purely appellate Courts. For some time only Barristers had audience on the Original Side of



the Calcutta and Bombay High Courts. In Bombay, a stiff Advocate's Examination was instituted in later years to entitle the holders of the LL.B. degree to practise on the Original Side. There was yet another hurdle. In the High Courts of Bombay and Calcutta, Counsel could get briefs on the Original Side only when instructed by a solicitor. There was persistent demand for doing away with the system so that advocates could take work direct from clients. Its defenders, however, argued that it represented a division of labour and resulted in a more efficient and speedy presentation and trial of cases before the Court. Whatever may be the rights and wrongs of the dual system, those lawyers who could not succeed in winning the confidence of the solicitors, were apt to be left high and dry, notwithstanding their great legal abilities. The system has since been done away with.

The prospects of a successful legal career were thus none too bright for Munshi. In addition, he lacked for sometime the self-confidence and the sophistication that comes naturally to a member of the urban elite but is denied to many hailing from mofussil backwaters. For a lawyer the period of waiting is both a daunting and painful experience. It is most depressing to go day after day to court and sit there doing almost no court work. Munshi, who was called to the Bar two years after M. C. Setalvad had joined, saw with his own eyes how the latter, who was also working in Bhulabhai Desai's chambers, was struggling to secure some rewarding practice. This was the plight of a man who was the son of a distinguished and an outstandingly successful lawyer. To give another example, M. C. Chagla, who rose to become the Chief Justice of the Bombay High Court, has recorded that he had very little work at the Bar for the first seven or eight years.

From the time he set his foot in Bombay, Munshi decided to make every effort to succeed as a lawyer. He called on



Manchhashanker, brother of Jamietram of the well-known firm of attorneys, Messrs. Matubhai Jamietram & Madan. When he was sitting with the elder man, Munshi had a fleeting glimpse of his future legal exemplar, Bhulabhai Desai. Even as a young man, Desai commanded a flourishing practice after giving up the profession of teaching at Ahmedabad. Fortunately for Munshi, Jamietram, an influential, astute and strong-minded attorney, became interested in his career. He could see that the young man had great literary talent and many other qualities that would ensure his success at the Bar. In February 1913, Munshi appeared for the difficult Advocate's examination and, despite his diffidence about his performance, was declared successful in the following month. He was happy that he could now try to win a distinguished place at the Bar like Sir Chimanlal Setalvad and Sir Jamshedji Kanga. In June, Bhulabhai Desai took him as his junior after admonishing him with these words: "Lowndes told me what I am telling you. If you will be useful to me, I will likewise be useful to you". Sir George Lowndes, who practised in Bombay for a long time, later became a member of the Privy Council Bench. Munshi soon proved that he was a match for Bhulabhai Desai and the relations between the two developed into a lifelong friendship.

Jamietram and his nephew Narmadashankar of another firm of solicitors began to send small briefs to Munshi so that his fee book for the year 1913 showed a gross receipt of Rs. 1150, not a negligible earning by a beginner. Munshi got his first important brief in July of that year. He appeared before Chief Justice Scott in an appeal from the Thana Court near Bombay. Ranged against him was no less a person than the formidable Sir Thomas Strongman whose intimidating methods had almost terrorised the junior Bar. Munshi persevered with his argument despite frequent interruptions by the Advocate-General. Since he

was conducting his first case, Munshi fumbled and mis-stated a fact or two, but the presiding Judge was kind and sympathetic.

Despite his inexperience and the bullying tactics of Strongman, Munshi had done remarkably well and had made a good impression on the Chief Justice. A few days later, Sir Jamshedji Kanga met the young lawyer and told him that the Chief justice was pleased with his performance. “He remembered you”, said Sir Jamshedji, “when he was making appointments of Law Professors, but you are so much of a junior”. Munshi was thrilled. Success did not, however, come to him so easily. At the beginning, he had to swallow the bitter drench of defeat on a few rare occasions. His friends at Surat and Broach were keen on helping him with briefs. One such case related to an election dispute in the Rander Municipality. Munshi, who was travelling to appear in the Surat District Court, was taken aback when he found Strongman in another compartment of the train. The young lawyer argued for full four hours on behalf of his client but, after Strongman’s half an hour’s reply, his elaborately constructed case fell like a pack of cards. For all his labour, he received a packet of Surat sweets ! To his great mortification, he had to pay from his own pocket for his return journey.

In a little over a decade, Munshi succeeded in inspiring confidence among the solicitors and his clients that he was a dependable junior. It was indeed a period of intensive preparation. He collected a sizable number of pleadings drafted by such competent and experienced counsel as Inverarity, Lowndes and Bhulabhai Desai and made their style and technique his own. He assiduously cultivated the habit of using in his own pleadings striking phrases and dicta found in classical law books and weighty judgments. He studied the Privy Council judgments in Indian appeals and made careful notes on them. By such diligence, he succeeded in gaining a remarkable grasp



over important legal principles. He also trained himself rigorously in the art of addressing the law courts. His style on such occasions was entirely different from the one used by him in his public speeches. He was gifted with a powerful intellect and a profoundly judicious mind, both of which received a tremendous impetus from his disciplined study for over a decade.

Munshi was always pleasant, reasonable and considerate. He had made a strict rule of his life never to be rude or to lose his temper. Persuasion was the greatest asset in his arguments. As an advocate, he had a high sense of vocation and gave his unqualified allegiance to the ideals of justice. Reason and logic, reinforced by persuasion, should, according to him, be the hallmark of one's advocacy and not aggressive postures which were unworthy of the noble calling of the lawyer. He shared the belief that the gift of persuasion was indeed the advocate's pearl of great price. This is the reason why his arguments were distinguished for their sweet reasonableness. He also attained a high degree of expertness in the art of cross-examination. In many *a cause celebre*, his masterly use of this technique saved the situation for his clients, as we shall see presently. He was undoubtedly the most versatile member of the Bombay Bar.

The development of Munshi after one decade of his enrolment as a lawyer was so rapid that by the nineteen-thirties there was no branch of law which he had not studied in depth and used his specialised knowledge for the benefit of his clients. He made a penetrating study of ancient Hindu sacred texts to attain mastery in Hindu Law. Often he enlisted the co-operation of learned *shastris* to interpret for him the Sanskrit texts so that he could argue authoritatively on the legal points at issue. Munshi, who practised law for over forty years, appeared in a large number of cases involving the most varied points of law. Although it is impossible to do justice to his skill as an advocate



and soundness as a lawyer in a few pages, some instances of his resourcefulness and versatility may be given here. No chronological order is observed while recalling the cases in which he appeared, the criterion being their importance from the legal point of view.

Pushpa, daughter of rich parents in Bombay, was attracted to a boy of her caste when she was still of a tender age. One day she ran away from her parental home and, after going through some form of marriage with the young fellow in the city's working class areas, went with him to Poona to stay there. Her orthodox parents were deeply distressed over the episode. On her returning home, she realised that she had made a mistake. Her parents did not want to coerce her into separating herself from the young man. He was called to their residence and was told that a regular marriage befitting their position would be celebrated if he could persuade the girl to be his wife. Pushpa flatly refused to have anything to do with him whereupon he filed a suit in the High Court of Bombay for a declaration that the girl was his legally wedded wife.

Munshi was briefed to appear on behalf of the girl. His was a delicate undertaking. The episode had aroused much public interest. It was asked what was wrong if a commoner aspired for and gained the hand of a rich man's daughter, The life of Munshi, the lawyer, was far from being prosaic. Besides, he had created enduring literature in Gujarati on romantic themes. Bearing these facts in mind, Munshi made it clear to the parents that he would take up the case only if he was convinced that the girl was determined not to go to the young man and was willing to repudiate the so-called marriage. He agreed to proceed when he saw that there was a complete change in her attitude towards the young man.

The issue that needed clarification was whether the boy and girl had gone through the marriage ceremony strictly according to the prescriptions of Hindu Law. On a close scrutiny of the photographs of the marriage ceremony, Munshi became certain that some of its essential features could not be seen in them. He used all his resourcefulness in creating a situation for the plaintiff which forced him to admit that some of the most vital rites had not been performed during the alleged marriage. In a deliberately long drawn out cross-examination, Munshi asked him whether the sacred fire was burning before the couple throughout the marriage ceremony on a small specially prepared mud platform. He was also asked whether a brass tumbler with a coconut placed on it, another indispensable item of the ceremony, had been used. The young man confidently replied that all the necessary prescriptions had been observed with great care. Thereupon he was asked to show where the fire and the tumbler with the coconut called Varuna figured in the photographs. Both were conspicuous by their absence. The conclusion was that there could be no marriage if there was no prescribed fire to sanctify it. The disappointed fellow shouted at Munshi: "You have converted wife into a sister".

The question whether what is known as the *anuloma* or inter-caste marriage is permitted by Hindu Law was considered in the case of Bai Gulab, the offspring of a Vaisya father and a Shudra mother. The girl, who was neglected by her father, was taken by a Bhatia woman under her care and was later married to a Vaisya watch-maker. After staying with him for a week, Bai Gulab left her husband refusing to return to him. The man went to the court claiming conjugal rights. While Bhulabhai Desai appeared for him, Munshi represented the woman. Munshi, who had made a deep study of *Mitakshara*, *Mayukha* and the *Dharmashastras*, contended that Bai Gulab was a Shudra



since she was born to a Shudra woman. Since her marriage with a Vaisya was *anuloma*, it was interdicted by the Shastras. His plea was, however, unacceptable to the trial judge. The issue was further thrashed out in the Appeal Court which was presided over by Chief Justice McLeod and Sir Lallubhai Shah, a profound scholar. For two days the counsel and Sir Lallubhai were engaged in unravelling the tangled skein of the ancient texts. Eventually the Division Bench held that *anuloma* marriages were not prohibited by Hindu Law. In the Appellate Court Munshi was opposed by Jinnah.

A *nayakin* or public woman called Nagubai claimed that she was the *avaruddha stree* of a deceased rich man and filed a suit for maintenance against the widow and children of the dead man. Munshi appeared on behalf of the defendants. He maintained that the deceased had relations with other women also and that the defendants did not know whether the plaintiff was a permanent or a temporary concubine. On the trial judge negating this contention, the suit was taken to the Appellate Court consisting of Sir Lallubhai, then the acting Chief Justice, and Justice Crump. Munshi conceded that the *Shastras* did recognise the right of an *avaruddha stree* to be regarded as a married woman and become entitled to maintenance. He, however, held that a kept woman could claim such a status only if she had been accepted by the deceased's family. Nagubai, he contended, did not fulfil this essential requirement. The Appellate Court endorsed this stand and reversed the judgement of the trial Court. When the case went up to the Privy Council, Lord Darling favoured a secular and not a scriptural view of the matter and set aside the decision of the Appellate Court. This and the *anuloma* case established Munshi's reputation as a keen student of Hindu law.



Another complicated question, involving the interpretation of Hindu law, arose over the division of the property of Raja Bahadur Shivrul Motilal, a leading businessman and multi-millionaire of Hyderabad (Deccan). The Raja died, leaving behind his son, Bansilal, and many grandsons. In 1922 the dispute between Bansilal and his two elder sons was taken to the Bombay High Court for hearing before Justice Pratt. The case hinged on the question whether Hindu father was entitled to separate only one of his sons without ending the joint status between himself and the rest of his sons. While Jinnah and Bhulabhai Desai appeared for the plaintiffs, the two sons of Bansilal, he was defended by Jamshedji Kanga, assisted by Munshi and Harilal Kania. Professor Gharpure, an authority on *Dharmashastras*, was helping the counsel for the plaintiffs with the interpretation of the ancient texts.

Munshi felt a similar need for making a deep study of the *Shastras* to ascertain the rights and obligations of a father in relation to property under Hindu Law. He got hold of an eminent scholar and, with his assistance, gained complete mastery over the issues involved. Munshi's turn came after Jinnah and Kanga finished their addresses. With complete self-assurance, he went on citing one authority after another from the old texts upholding the rights of a father. The fact that he could do so after studying the subject with the aid of a traditional scholar was kept a secret. His solicitor was delighted because Munshi's arguments were far more wide ranging than the points covered in the brief. While Kanga congratulated him, Bhulabhai warmly shook his pupil by the hand. Thenceforward a steady stream of briefs began to pour into Munshi's chamber from an increasing number of solicitors' firms. Since the suit was settled, it did not find a place in the Law Reports.

In 1936, Munshi found himself called upon to delve deep into the Jaina canon in order to do justice to his clients in a case involving the flagstaff of the famous Kesariyaji temple in the Udaipur State of Rajasthan. In the early decades of the nineteenth century the flagstaff of this temple had fallen. A new one was erected in its place by the *Svetambars*, members of the “white-clad” sect, who were then in power. That also came down about a century later by which time the *Digambaras* (“space-clad” or naked) had gained ascendancy in the State. The question arose as to which of the two sects was entitled to put up a new flagstaff. It appointed a Committee to ascertain the standpoints of the feuding sects on the issue. M.C. Setalvad appeared for the *Digambaras* while their opponents were represented by Munshi.

The question that needed to be settled was which of the two sects had built the temple of Kesariyaji. Munshi’s arguments before the Committee were marked by the depth of his legal and historical knowledge. Muni Jinvijayji, who was instructing Motilal Setalvad, declared that Munshi’s interpretation of the Jaina canon was masterly. The Muni, who was a famous scholar, later became the Director of the Bharatiya Vidya Bhavan. Munshi, who had a strong historical sense, was drawn towards the ancient State of Udaipur because it was from there that the great warrior ruler, Rana Pratap, had hurled defiance at the Moghul imperialists. The Committee’s findings about the disputed temple flagstaff did not see the light of day till 1947 when Munshi was invited by the ruler of the State to become his honorary constitutional adviser.

The variety of cases handled by Munshi provides a true index to the versatility of his talent. In the nineteen forties it became necessary for him to make a deeper study of the Bhagvad Gita and the philosophy of monotheism in order to



defend the tenets of the well-known sect of Swami Narayan in Gujarat. A rival organisation, led by a capable dissident, had been set up in order to preach religious doctrines that were considered a heresy by the Acharya of the Swami Narayan sect. The protestants asserted that they were the true representatives of the faith and demanded that they should be allowed free access to the various temples belonging to the sect. Their leader had himself built a number of shrines and had acquired considerable influence in some parts of rural Gujarat over a period of half a century.

The Acharya filed a suit in the Court at Borsad, a small town in Gujarat, against the protestants for an injunction to restrain them from going into the temples in his diocese and for a declaration that they were not the true followers of Swami Narayan. The Acharya gave his case to Munshi. At first the case attracted little attention partly because it was heard in a relatively obscure place, but it soon acquired considerable importance and gained wide public attention since profound issues of religious belief were involved. By explaining the true implications of monotheism, Munshi proved that the doctrines of the Swami Narayan sect were derived from this philosophy. He called attention to the creed of the rival sect and maintained that it was destructive of the founder's doctrine. J.M.Shelat, who was briefed as Munshi's junior in this case and who collaborated with him in a number of other cases, was of the opinion that his senior's address in the Borsad Court was "one of his most brilliant performances"\*. Munshi won the Swami Narayan case. Earlier, he had scored a similar resounding legal victory on behalf of the Mullaji Saheb of the Dawoodi Borah community.

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\*For my material on Munshi's role as a lawyer, I have drawn heavily upon Justice J. M. Shelat's writings in *Munshi: His Art, and Works* vol. I, pp. 127-228 and *Munshi at Seventy-five* pp. 45-71.



Here he was called upon to trace the history of the Islamic doctrine, as it is understood by the Borah community, of which the Mulla Saheb is the head.

Munshi's legal work became more and more diversified as his reputation as an able lawyer increased. In the famous Chand Chhap Kesari case, the odds were heavily against him. Sir Thomas Strongman and Bhulabhai Desai, who led him, felt that their client's case was hopeless. But neither Munshi nor Jamietram, the attorney who was deeply interested in the suit, shared their pessimism. An old widow was carrying on an extensive business in saffron. She had received a large consignment of this commodity from Spain and directed her *muccadam* to take its delivery. Towards this end, she signed certain papers produced by him. Being illiterate, she did not know what the document was really about. On being asked to deliver the imported saffron to the firm, the man replied that the consignment had been pledged with him to secure the repayment of Rs. 20,000 advanced by him to the firm.

In the absence of Bhulabhai Desai, his senior, Munshi argued the case on behalf of the widow before Justice Crump of the Bombay High Court. The *muccadam* produced his books of account to prove that the transaction was genuine. A sound knowledge of book-keeping was necessary to verify this claim. Munshi carefully scrutinized the various entries in the books and after two or three days of gruelling work discovered that they had been cooked up in order to show a balance of Rs. 20,000. The *muccadam's* case was lost, but it was upheld in the Appellate Court. Thereupon the widow went to the Privy Council where her case was argued by Sir George Lowndes. The highest judicial authority upheld the view taken by the trial judge and the decree of the Appellate Court was reversed. The widow's victory was indeed a triumph for Munshi's forensic abilities.

Munshi proved equally resourceful in opposing the Demonetisation Ordinance of the Government of India, prohibiting the cashing of 1000-rupee currency notes after a certain specified date. He had discussions with some of the leading financiers and had made a thorough study of the history of promissory notes issued by the Bank of England. He came to the conclusion that the Ordinance could not exonerate the Reserve Bank of India from its I.O.U. obligation to the promiser. He accordingly filed a mandamus petition which was heard by Justice Kania. On getting an adverse verdict, he went to the Appellate Court consisting of Chief Justice Sir Leonard Stone and Justice Lokur. He gave such an outstanding performance before them that the Chief Justice described his arguments as “brilliant and exhaustive”. The petition, however, failed.

Munshi became an expert in the income-tax law and developed an extensive practice in this line. He was much sought after by wealthy income tax-payers so that he had to go up and down the country frequently to appear before the Income Tax Tribunals. He appeared in some of the leading income-tax cases before the High Courts and the Supreme Court till he gave up legal practice. He also received a large number of cases concerning litigation over the *teji mandi* transactions. Through diligence and persistence, he succeeded in correcting the strongly held view that these transactions were no better than wagering contracts. Thus in commercial matters also he became a leading practitioner. As his reputation as a sound lawyer increased, a steady stream of briefs flowed into his chamber for opinion and advice.

During his long career at the Bar, Munshi had some strange experiences. In December 1941, he received an urgent message from Mahatma Gandhi asking him to proceed to



Ratlam, a medium-sized princely State in Central India. Some seven or eight persons, including a local doctor and a lawyer, had been tried and sentenced to seven years' rigorous imprisonment on the charge of conspiring to overthrow the lawfully established Government of Maharaja Sajjan Singh. One of the accused had died in prison. There was no proper trial and, with the suppression of the Praja Mandal, the people were terror-stricken. Munshi was required to appear before the Privy Council of the State which had agreed to hear the appeal of the accused.

Munshi knew the state of affairs in most of the States. Their subjects did not ask for anything more than government by laws so that they might have security of life and property. They wanted their rulers not to waste the meagre revenues on costly eccentricities and to give a modest share in the administration to the people's representatives. To counter these demands high-sounding constitutional principles were propounded, claiming that the rulers were not free to divest themselves of their powers and thus become disabled to fulfil their obligations to the paramount power. Nobody had asked them to strip themselves of their ruling powers to that extent. The plain fact is that they were unwilling to shed their autocracy and in this they were sometimes encouraged by the Political Department of the Government of India. The hand of the Political Department was evident in the so-called conspiracy case in Ratlam.

Munshi was extremely busy at the time he was asked to go to Ratlam. A mass of material about the case, much of it in Hindi, needed to be studied. Fortunately, he had the able assistance of Shelat, although he, like Munshi, was not much conversant with Hindi. No adjournment of the case was allowed. It was tried by the Dewan or Prime Minister, the



Revenue Minister and the Home Minister of the State. The Dewan blandly asked Munshi whether he could read his daily newspaper during the proceedings! The Bombay lawyer gladly agreed. It was evident from the very outset that the charges against the accused were bogus. When asked with what weapons these men wanted to overthrow the Government, the Advocate for the State replied “rifles”. On inspection, permission for which was most reluctantly given, the so-called weapons turned out to be toy-guns of Japanese manufacture while the “ammunition” for these lethal weapons happened to be a heap of burnt matches! Munshi, who has described the case himself, declared that it was more fantastic “than anything in a Gilbert and Sullivan opera”. The whole proceedings were thus most funny though not for the persecuted men.

The Maharaja was a good man who blamed his Defence Minister, Shivjibhai, for mishandling the whole affair. Shivji was a powerful and much-feared man in the State. He was an ill-bred and arrogant fellow but he had sense enough to realise that his game was up. He invited Munshi to his residence. In the interest of the accused the lawyer could not refuse. He was given a royal reception at Shivji’s house. The host pressed the lawyer, who had made it an inflexible rule not to eat anything between lunch and dinner, to taste at least one *Kachauri*, a delicacy peculiar to Gujarat and Rajasthan. Again, for the sake of his clients, Munshi complied. He has recorded that “it was the finest of its kind”. He had a midnight interview with the Maharaja to whom he suggested *a modus vivendi* for ordering the release of all the accused persons. All was thus well that ended well. As an epilogue to his narration of the case, Munshi writes: “The professional etiquette in England affords a lady-lawyer to shed tears—of course, professional—to secure a verdict for her client. Why should I not eat a *Kachauri* to secure the same result?”

In 1944, Munshi was required to conduct in the Madras High Court a case described by Shelat as the *cause celebre* of the century. A man called Lakshmikantam was a notorious criminal. He had a great deal of vulgar talent, a daring impetuosity and utter contempt for decency. In the thirties he had escaped from custody twice when he was arraigned for committing forgery. He went underground in the South, married a girl and would probably have spent the rest of his life in anonymity had not his birth marks betrayed him. He was re-arrested and sent to prison. After his release he started a Tamil weekly called *Cinema Thoothu* which specialised in ruining the reputation of well-known persons and more especially of those of the cinema world. The weekly was suppressed but Lakshmikantam started another organ called *Hindu Nesan*.

At that time the cinema industry was at the peak of its prosperity. Munshi, who has written about the case himself, says: "Rivers of black money flowed in swift floods". The cinema stars led the most glamorous lives, spent huge sums of money recklessly and engaged themselves in "promiscuous intimacies". They thus provided ample grist to the adventurer's journalistic mill. He was a talented and forceful writer and since his exposures were founded on more or less ascertained facts they were most damaging to his victims. His weekly paper attained phenomenal popularity and its issues could be bought only at a premium. His slanderous and sensational writings titillated the masses as nothing else could and they came to regard this resourceful scoundrel as a messiah. But in the bargain he had made many powerful enemies.

On November 8, 1944, Lakshmikantam was stabbed in a rickshaw while he was returning home from his lawyer's residence. He was rushed to a nearby hospital, where he died after an operation. Fifty thousand people attended the funeral of



“this self-constituted defender of the honour of Indian womanhood.” It was not easy to trace the culprits, but, following a tremendous public outcry, three leading cinema figures, namely, M.K.Thiagaraja Bhagavathar, the popular singer of cinema songs, N. S. Krishnan, a resourceful comedian, and S. M Sriramalu Naidu, a well-known film director and producer, were arrested. Munshi was briefed to defend the last-named accused. As many as twenty six lawyers were engaged in the case. Munshi’s appearance on the scene created some heart-burning among the elite of the Madras Bar. They wondered how a civilian lawyer could acquit himself competently in a criminal case. They were soon to realise how wrong they were in their estimate of his abilities.

The prosecution was conducted by P. V. Rajamannar, Advocate-General, who later became the Chief Justice of the Madras High Court. So far as Munshi’s client, Sriramalu Naidu, was concerned, he was told that the battle could be won if he could succeed in proving the falsity of the evidence of the prosecution witness, Kamalanathan, a relative of the dead man. It was alleged that Lakshmikantam had first been attacked on October 19 with a knife. Referring to this incident, Kamalanathan had told the Magistrate that three days later, that is on October 22, he was present when Naidu and Bhagavathar were discussing with another man about the killing of Lakshmikantam.

Munshi was instructed to extract from Kamalanathan the admission that he had started from his residence to meet Bhagavathar and Naidu on that day only after 4.30 P.M. and not before because he believed that the *rahukalam* lasted till that hour. *Rahukalam*, which occurs at varying but ascertainable times, is generally avoided by orthodox persons in the South when they go out on an important errand. Everything depended upon Munshi’s skill in cross-examination. “For the first time in

my experience”, he wrote, “the life of a human being was hanging on my skill as a questioner”. He was somewhat unnerved by the heaviness of his responsibility. Without giving the slightest inkling to Kamalanathan as to what he was driving at, the lawyer asked him at what time he reached the place where the two accused were staying. He replied that it was at 5 P.M. Replying to another carefully planned question, he said that he did not leave his house earlier because of *rahukalam*. The man fell into the cleverly-laid trap. The inauspicious time ended at 4.30 P.M., not on October 22, but on October 26 when Naidu was at the Taj Mahal Hotel in Bombay. The collapse of Kamalanathan broke the back of the prosecution case against Naidu who was acquitted. This created a great sensation.

Munshi, who was promptly briefed to defend Krishnan, was unsuccessful in his attempt. All the accused were found guilty. The case went up to the Privy Council which held that the evidence could be examined afresh by the Appeal Court. This was done and the two accused were given the benefit of the doubt and acquitted. Munshi did not forget the other five accused who had neither the resources nor the influence of Bhagavathar and Krishnan. He successfully sought the intervention of Dr. P. Subharayan, Home Minister of Madras, for their release. Commenting on Munshi’s performance in the famous case, Rajamannar wrote: “Being myself a devotee of literature and a dabbler in play-writing, I could see and appreciate very often the sweep of imagination and his intimate knowledge of human nature in his cross-examination of the prosecution witnesses”.

The second World War, which lasted from 1939 to 1945, was the most memorable event because it profoundly affected the course of Indian history. Due to Whitehall’s in



transigence on the issue of Indian freedom, the Congress withdrew its ministries from eight provinces in October 1939, leaving the field wide open for the Muslim League to crusade for the destruction of the country's immemorial territorial integrity. Government by ordinances became a regular feature of the Indian administration. In August 1942, the Congress launched its famous "Quit India" movement which gave a further impetus to the repressive policy of the Government. Small-minded men made no bones about misusing their authority by curtailing the civil liberties of the people. The provisions of the Defence of India Act were flagrantly abused. Munshi, along with a few fearless and self-abnegating lawyers, decided to defend the personal liberty and the political rights of the people. He performed this self-imposed task with missionary zeal and moved up and down the country for this purpose.

Munshi went to the rescue of the famous Editor of the *Bombay Sentinel*, B. G. Horniman, against whom the Allahabad High Court had issued a warrant of arrest for Contempt of Court. The lawyer's contention that the Allahabad High Court had no jurisdiction to issue such a warrant in other provinces was upheld by the Bombay High Court. The verdict created a sensation in the country. Munshi won the Horniman case by calling attention to the fact that there had been no precedent for issuing such a warrant. The Contempt of Court proceedings against the *Tribune* of Lahore, however, demanded tremendous efforts on the part of Munshi to win for that paper and for the Indian press as a whole the right to publish news and to comment on public affairs freely and without the fear of dire consequences.

The Contempt of Court case against the paper was heard by a full bench of the Lahore High Court consisting of Chief Justice Sir Trevor Harris, Justice Munir and Justice Teja Singh.

Sir Manoharlal was then a Minister of the Punjab Government besides being a trustee of the *Tribune*. He mildly hinted to his guest that the Gandhi cap he wore might not be liked by the Court. Munshi replied that if that was so somebody else would have to conduct the case. The cap, we are told, stood the test ! Sir Trevor, according to Munshi, was not only one of the greatest judges but also “pleasant, informal, clear-headed, open-minded, courteous”. Munshi went into the Law of Contempt of Court at clients with great cogency for several days. He was heard great length, presenting his arguments on behalf of his by all in silence except by Justice Munir who often interrupted him as he was annoyed at his judgment being questioned. He asked with some heat: “Why should the papers publish the comments of a Judge? For their own safety they should publish only the Judgments”. The counsel reminded the Judge that in that event the freedom of the press would be lost. Justice Munir declared: “Justice is not a handmaid of journalists”. Munshi mildly but firmly retorted: “Neither, my Lord, is it a cloistered virtue that cannot stand the public gaze”. Munshi won the *Tribune* case.

Munshi had to return to Lahore soon, this time on a strange mission. Jayaprakash Narayan was among the prominent and most active participants in the “Quit India” movement. After much effort the Government arrested him and held him in duress at Lahore. H.R. Pardiwala, a lawyer from Bombay, proceeded to Lahore to file a *Habeas Corpus* petition on his behalf. The Government of Punjab realised that it was impossible to resist the petition and accordingly declared Jayaprakash Narayan a State prisoner under Regulation III of 1818 in order to take away jurisdiction of the judiciary in the case. Pardiwala was himself arrested as soon as he came out of the High Court after filing the *Habeas Corpus* application.



Munshi saw the futility of going to Lahore to defend Jayaprakash Narayan's petition but he was persuaded to proceed. During the train journey he drafted a petition against three C.I.D. officers of the Punjab for arresting Pardiwala while performing his duty as an advocate and for withholding from the High Court of Lahore his *Habeas Corpus* petition made while he was in jail. On reaching the High Court he applied for a rule for contempt against all the three police officers. Pardiwala had maintained a diary of the happenings at Lahore and one of the entries showed the date on which he had submitted the *Habeas Corpus* application. The Court permitted Munshi to cross-examine Superintendent Robinson, a powerful man at that time. Closely questioned by the counsel, he admitted that, far from forwarding Pardiwala's *Habeas Corpus* application to his superior officer, he had torn it up. Asked why he did so, he replied: "I think I was foolish". Munshi's triumph at Lahore was yet another feather in his cap as an astute lawyer.

Following the arrest of all the prominent Congress leaders on August 8, 1942, as a pre-emptive action against the "Quit India" movement, the country became leaderless. There was violence in some parts as a protest against Government's oppressive measures. In the villages of Chimur and Ramtek and in the town of Ashti, all in the Central Provinces, now known as Madhya Pradesh, mobs rose in rebellion against authority, killing some officers and indulging in arson and looting. The Government, after ruthlessly suppressing the riots, put a number of persons on trial. Munshi and his colleagues, including Shelat, A.C. Amin and J.H. Dave, defended the accused. The Chimur case gained greater public attention since Professor Bhansali went on an indefinite fast demanding an impartial inquiry into the excesses committed by soldiers in that village. Munshi also played a crucial role in securing the release of the well-known Socialist leader, Purshottam Trikamdas, who, like

Jayaprakash Narayan, had done much to galvanize the “Quit India” movement.

Munshi’s career as a lawyer did not end with his hectic war-time professional activities. National independence saw him holding important positions in the Government. He duly returned to the Bar after fulfilling his obligations to the State. Neither age nor long spells of absence from the law courts had diminished his abilities either as a lawyer or as an advocate. He showed the same skill and originality in the interpretation of the law and the same astuteness in his arguments. His appearance in the *Express Newspapers Private Ltd.* case, in the *Hamdard Dawakhana* case and in the *Mulaji Saheb’s* case made legal history. He gave repeated proofs before the highest judiciary of the land, the Supreme Court, that his forensic powers, far from fading away, were in fact on the increase.

Munshi had some firm convictions about the duties and obligations of the profession of a lawyer and was not prepared to compromise with them on any account. In 1941, he received from Mahatma Gandhi through Sardar Patel a message urging him not to appear against the Indian National Trade Union Congress on behalf of his employer-clients. He did not accept this suggestion. He explained that as long as a lawyer was in practice, his professional obligations demanded that he should not deny his services to those who retained him unless for personal reasons he could not do justice to their case. He made it clear to the Mahatma that he could not abjure his professional obligations so long as he remained in practice.

The question whether a lawyer should defend only innocent persons is as old as the history of law and indeed of justice itself. It was asked in Athens and in Rome and continues to be asked down to the present day. For instance the legend



grew that the famous British lawyer, Sir Edward Clarke, K. C., never defended anybody unless he believe him to be innocent. It had, of course, no foundation in fact. It is not the business of counsel to decide whether people are guilty or not. A greater advocate than Clarke, the immortal Erskine, told the jury thus when defending Tom Paine: "If the advocate refuses to defend from what he may think of the charge or the defence, he assumes the character of the judge, nay, he assumes it before the hour of judgment... and puts the heavy influence of a perhaps mistaken opinion into the scale against the accused....."\*

Munshi found the profession of law both challenging and rewarding. He had reached its summit but his dynamism. and versatility drove him into other fields of activity. The calls of the Muse and the motherland were indeed resistible. A gifted writer in Gujarati, it was impossible for him to repress his creative urges. Even as he was building up his legal career and was scaling new heights in that profession, which demanded the most strenuous exertions on his part, he wrote abundantly, continually enriching and enlarging the Gujarati literature. By the time he decide to return to politics, there were to his credit more than twenty works, including short stories, social, mythological and historical novels and plays, literary criticism and historical biographies.

The happenings in the country, which will be dealt with in the ensuing chapters, and the call of Mahatma Gandhi for sacrifice by his countrymen decided Munshi to throw away his lucrative practice. Both the Bar and the Bench of Bombay were unhappy about it. Sir Chimanlal Setalvad strongly advised him not to re-enter politics, but he plunged "headlong" into the

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\**Six Great Advocates* by Lord Birkett, Penguin, 1961, p. 49.

Gandhian movement\*. The Chief Justice of Bombay said to a lawyer: “Look, what Munshi has gone and done! I was just thinking of recommending him for a High Court Judgeship.” Munshi was in the company of illustrious lawyers like C.R. Das, Motilal Nehru, M. R. Jayakar, Bhulabhai Desai and many others when he gave up his practice. None of these eminent men believed in boycotting the law courts, but they were too patriotic to ignore the Mahatma’s call for sacrifice.

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\**Recollections and Reflections* by Sir Chimanlal H. Setalvad, Padma Publications, 1946, p. 71.



## IV

# The Exemplars

MUNSHI HAD GREAT admiration for Mohammad Ali Jinnah, Dr. Annie Besant, Mahatma Gandhi and Sardar Vallabhbhai Patel. When he entered the Bombay Bar in 1910 it was his desire to become Jinnah's junior but was persuaded by Jamietram, the attorney, to accept Bhulabhai Desai as his senior. Both then and for several decades thereafter, Jinnah was highly esteemed by the politically-conscious intellectual classes of Western India. At that time, he was an uncompromising secularist and an ardent patriot, besides being an able and astute advocate. Like most of his Hindu friends, who never allowed their political outlook to be darkened by religious prejudice, he was admirably non-communal in his attitudes and utterances. Munshi, who was closely associated with him for many years both in politics and in the legal profession, writes : "He (Jinnah) had never visited a mosque; he had never read the Koran so far as I know; he did not know any language other than Gujarati, English and Kutchhi—a dialect used by the Hindus and Muslims of Kutch and some parts of Kathiawad, from which he himself came"\* . This was also the view of Dr. B.R. Ambedkar.

Jinnah, before he became a convert to Islamic irredentism, scorned bigotry. He once told Pandit Motilal Nehru, another

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\**Indian Constitutional Documents, Volume I, Pilgrimage to Freedom (1902-1950)* by K. M. Munshi, Bharatiya Vidya Bhavan, 1967, p. 8.

convinced secularist, that he abhorred the Mullahs and believed in “none of their nonsense” although he had somehow “to carry these fools along”. The Mullahs in their turn never regarded him as a true follower of Islam, some of them parading his photo in the countryside to tell their fanatical co-religionists that his beardless face was least Islamic. Even when the flame of religion began to burn brightly in his fragile frame in the evening of his life, when the British discovered a new destiny for him, he remained as ignorant of Islam as during his great nationalist days. Colin Reid of the *Daily Telegraph* had made a profound study of the Koran in Arabic. He often met Jinnah after the latter had become Quaid-i-Azam but found that his knowledge in such matters was nil.

From the beginning of his career as lawyer-politician, Jinnah had found the company and friendship of Hindu intellectuals most congenial to his temperament and outlook. He built up his reputation as an outstanding advocate by appearing, as we saw in the last chapter, in a number of cases involving the interpretation of Hindu Law. Gopal Krishna Gokhale was his greatest exemplar in the political life. And yet this man, turned his back on nationalism and worked with relentless pertinacity for the destruction of the millennia-old territorial integrity of this great land.

The advent of Mahatma Gandhi to national politics was an event of historic importance. By 1920, especially after Lokmanya Tilak’s death, he became the unchallenged leader of the Congress. As he had done to the Home Rule League, he set about re-organising the Congress to impart dynamism to its politics. At the Nagpur session in December 1920, the Congress creed was radically changed under his inspiration. Its political goal, as it was originally defined read thus: “The objects of the Indian National Congress are the attainment by the



people of India of a system of government similar to that enjoyed by the self-governing members of the British Empire and a participation by them in the rights and responsibilities of the Empire on equal terms with those members.” This goal was replaced by another thus: “The object of the Indian National Congress is the attainment of Swarajya by the people of India by all legitimate and peaceful means”\*.

The amendment was of great significance since it at once transformed the Congress from an upper-class urban club into a countrywide mass organisation capable of going deep into the heart of Indian society, the village. The coming of Gandhi to Indian politics had upset many a leader and had led to the formation of the National Liberal Federation of India in November 1918. The change in the Congress constitution gave a further fillip to the exodus from its ranks. Munshi’s reactions to the Nagpur decision were precisely like those of his political chief, Jinnah. “The Congress session”, he wrote, “looked less like a political body than a religious gathering celebrating the advent of a Messiah. Jinnah (and, if my memory is right, also Malaviyaji and Khaparde) stood up in that jeering assembly and opposed the official resolution. After Nagpur, led by Jinnah, about twenty of us left the Congress”.

From the time Jinnah lost the Congress platform, his public behaviour became unpredictable. Munshi has written that Jinnah saw him in the Bar Library of the Bombay High court and suggested that he and a number of others should come together to oppose the British Government’s White Paper on the Indian constitutional reforms. There were preliminary discussions among some of the leaders but nothing came out of

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*Mahatma* by D. G. Tendulkar, Volume II, Publications Division, Government of India, p. 19.

*#Pilgrimage to Freedom* by K. M. Munshi, p. 18.

them, as most of the participants were uncompromisingly opposed to the British Prime Minister, Ramsay MacDonald's Communal Award. With the deepening of the European crisis and the gathering of the war clouds over the horizon, Jinnah's political fortune took an entirely new turn. In 1938, Lord Lothian, "a brilliant and well-informed statesman", told Munshi in Bombay that the British were building up Jinnah as they were not sure that the Congress would support them in the event of a World War.

When Munshi met the Viceroy, Lord Linlithgow, on May 26, 1939, he was asked to tell Mahatma Gandhi and Sardar Patel that they should agree to the introduction of federation under the Government of India Act, 1935. Munshi writes: "He (the Viceroy) was emphatic that, much as he disliked it, if the federal part was not introduced early enough, Jinnah would disrupt India. I sent to Gandhiji a report of the interview"\*.

When the war broke out in September, Jinnah was given unparalleled importance by the British and succeeded in destroying India's territorial unity if only to spite Congress leadership. A thoroughly disillusioned man, Munshi campaigned for "Akhand Hindustan" or undivided India in the vain hope that the situation could be somehow saved.

When Gandhi arrived in Bombay in January 1915, after an absence in South Africa for nearly twenty-two years, the elite of the city assembled to greet him. Most of its members had become inured to the Western style of living and expected to see the great man in well-cut European clothes with a great capacity for platform oratory in English. What they saw was, however, entirely different. Munshi writes: "The guest arrived, barefooted, dressed in a short dhoti, and a Kathiawadi

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\**Pilgrimage to Freedom, Volume I, pp. 35,53.*



*angarkha* and *sapha*. He was the very image of insignificance. Aristocracy stood shocked beyond words". A fashionable lady in the audience remarked that Gandhi looked like her tailor, Dhana! While Gandhi's decision to return to the national dress and to speak only the language of the people and not English scandalised the white-collared fraternity, it thrilled the younger generation\*. Convention and conformity never deflected Gandhi from his own course of action.

Gandhi, the co-operator, was forced to become Britain's most formidable rebel when it became evident that Whitehall had no intention at all of surrendering power to Indians. He gave first proofs of the effectiveness of his leadership in 1917 by prevailing upon the British planters at Champaran in Bihar to abandon their long-established practice of coercing the peasants there to grow indigo for their factories. His call for a countrywide opposition to the notorious Rowlatt Bills in March 1919 won such a tremendous popular response that it caused great fury to Sir Michael O'Dwyer, Governor of Punjab, who declared that there was "another force greater than Gandhi's soul force". The Jallianwala tragedy was the outcome of such intolerance even towards a totally non-violent movement. The Gandhi led civil disobedience movement of 1921-22, directed towards securing redress for the Khilafat and the Punjab wrongs, lasted for some fourteen months, giving fright to the bureaucrats in India and the imperialists in England. The Mahatma's declaration "Swaraj in one year" caused convulsions in diehard hearts.

Following the Labour Party's assumption of power in 1929, the Viceroy, Lord Irwin, announced on October 31, that the "natural issue of India's constitutional progress" was "the attainment of Dominion Status". The declaration was widely

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\**I Follow the Mahatma* by K. M. Munshi, p. 2.

welcomed in India, especially since it was made during Labour's regime, rather mistakenly believed to be in favour of the Indian demand. It was hoped that Indian aspirations would at last find their fulfilment because Dominion Status was considered to be equal to the status of Britain herself. The Viceroy was, however, forced to retrace his steps when powerful vested interests in Britain declared their implacable hostility to his announcement.

Prominent Congress leaders of the younger generation like Jawaharlal Nehru and Subhas Chandra Bose were anxious to organise a retaliatory movement. At its annual session in December 1929, presided over by Nehru, the Congress solemnly resolved that the country should thenceforward observe January 26 as "Independence Day". Every year from 1930, thousands of Indians took solemn pledges on that day to liberate their motherland from foreign rule. The Mahatma, who was pressed by mettlesome youngmen to start another convulsive movement, soon responded to their plea. On March 20, 1930, he set out with seventy-eight members of his *ashram* on his historic march to Dandi, a seaside resort on the west coast, to break the salt laws. He ceremonially broke the salt law on April 5, thus giving a lead to his countrymen to do likewise on an extensive scale.

His arrest on May 4 did not slow down the movement. As many as ninety thousand *Satyagrahis*, many of them beaten up savagely, were seized and sent to prison. Neither Irwin, the "Christian Viceroy", nor India's "well-wishers" in the Labour Government could prevent the bureaucratic barbarism. The Viceroy and the Governors of many provinces were both surprised and alarmed at the dimensions of the movement. Military experts also viewed the situation with concern. The shadows were thus steadily lengthening on an Empire in which



the sun had never set before. Earlier, in 1928, Gandhi had shown in the famous Bardoli Satyagraha, to which reference will be made at some length in the following pages, that he could mould heroes out of clay.

Many thinking persons, some of them none too friendly towards India, have endorsed the Gandhian methods. The greatness of Gandhi's achievement in overcoming the forces of terrorism should not, says an authority, be underestimated because of the completeness of its success. Since they were founded on moral principles, his campaigns ought to be regarded as *extra* rather than as anti-constitutional. The Mahatma "brought in the moral law to supplement rather than supplant official law, and thus saved India during the British period from large-scale terrorism, massacre, and race-hatred"\*. The joint authors of a well known book, by no means sympathetic to Gandhi, write: "Perhaps his achievement which in the long run will be found to have had the most lasting results is the revival of self confidence in the average India"#.

Munshi was a convinced constitutionalist. He would not have given up the legal profession and made common cause with the Mahatma if he had persuaded himself that the Gandhian methods would heavily mortgage the future of his motherland. The 1928 Bardoli dispute was entirely agrarian without any political implications. Munshi, as a non-Congress member of the Bombay legislature, and many others made the most earnest efforts to persuade the authorities including the Governor, to promote a settlement strictly on merits but their plea fell on deaf ears. The Bardoli episode clinched the

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\**The Oxford History of India*, 1958, p. 765.

# *India and Democracy* by Sir George Schuster and Guy Wint Macmillan, 1941, p. 121.

issue for Munshi who participated in most of the subsequent popular movements, inviting arrest and imprisonment on several occasions. His admiration for Gandhi grew with the years and his book *I Follow the Mahatma*, published in 1940, was a sequel to his conversion.

For men like Munshi, it was a mental torture to keep away from the popular movement. While Bardoli converted him to Gandhism, the Mahatma's "immortal" march to Dandi decided him to go to the world's end with the great leader. Writing to Gandhi on April 14, 1930, he said: "I am now offering my services, feeble as they are, to you. Perhaps delicate health may make it difficult for me to bear the strenuous life of hardships and comparative poverty which I will have to face, but when the whole of Gujarat and with it India has started on a glorious march to martyrdom, I, who dreamt of their greatness through my literary efforts, cannot stand by and look on". When Munshi and Abbas Tyabji met him later, the Mahatma remarked with a smile: "Both of you have come back from your *Vanavasa* (life in the forest)!" Munshi has recorded that Gandhi's was a curious comment, seeing that he had led a very successful life. He never accepted everything the Mahatma said as a mandate from heaven. In later years, he had to part company with his leader again, but his esteem for the Mahatma remained undiminished. This is how he viewed his exemplar: "Through my intimate contact with Gandhiji I was to discover later that if he was a statesman he was also a practical mystic; an apostle of the moral order; a prophet who gave us a vision of a non-violent world. When a personality of such a stature descends on a people, he becomes an avalanche overwhelming every resistance".

Another person who profoundly influenced Munshi's political life was Sardar Vallabhbhai Patel. The combination



between Vallabhbhai and Gandhi produced momentous results during the pre-independence period. Belatedly becoming a Barrister, Vallabhbhai had settled down to a lucrative practice at Ahmedabad. For sometime he was sceptical about Gandhi's relevance to Indian politics but the Mahatma's success in the Champaran episode convinced him that the newcomer was not just a platform orator but a man of action *par excellence*. When Gandhi assumed the Presidentship of the Gujarat Sabha, founded in 1884, he at once put an end to the long phase of supplication that had marked its activities. Vallabhbhai became an active member of the Gujarat Sabha and got many opportunities to show the British bureaucrats their real place. With the Mahatma's support, he succeeded in compelling the Government to suppress the pernicious practice of forced labour for officers touring villages on duty.

Vallabhbhai rose to the pinnacle of popularity in Gujarat by incessantly working among the people. He was as well-known as the Mahatma in that region and was better known in some of its parts. He was always to the fore whenever the popular cause needed to be championed. His major achievement in the pre-independence period was his leadership of the Bardoli Satyagraha of 1928. Bardoli is a taluka in Gujarat. It was the practice of the Bombay Government to revise the land revenue assessment at the end of thirty years after making a survey. The revision became due in 1926 and the settlement work was entrusted to an Indian officer who did not know much about it. After a perfunctory survey of the economic condition of the taluka and on the strength of faulty statistics, he recommended a sharp increase in the assessment. The Settlement Commissioner, a Briton, was equally negligent in fulfilling his responsibilities. The Government also handled the case with ineptitude and decided that the prevailing levy should be raised by 22 per cent. The peasants protested against the additional impost and refused to pay it.

Munshi, who was watching the Bardoli developments with deep concern, decided to tell the Governor of Bombay, Sir Leslie Wilson, how wrong his Government's policy was. In 1926, he had been elected to the Bombay Legislative Council as an Independent and felt called upon as a representative of the people, to address the head of the Government on an issue of vital public importance. He was prompted to do so by the high-handed methods that were being employed to collect the enhanced assessment from the Bardoli peasants. Writing to the Governor on May 27, 1928, he called his attention to the fact that the peasants asked for nothing more than an independent re-enquiry to make sure whether the settlement work had been done properly or not. He strongly protested against the employment of Pathans, to intimidate the peace-loving and law-abiding ryots into submission. He also complained against "the communal aspect which the payment of dues is made to assume" and against the appointment of Special Magistrates to collect the enhanced revenue. The Governor's reply of May 29 added insult to injury. He charged that a definite attempt was "being made to coerce Government by the use of the weapon of civil disobedience". The Government, he asserted, was bound to take up the challenge.

After all attempts by Munshi and other "constitutionally-minded" people to promote a settlement had failed and when the Government gave orders to the village officers to start collecting the increased levy from February 5, 1928, Vallabhbhai decided to enter the fray in response to the Bardoli peasants' earnest request. He told them that it would be a grim struggle in which they were likely to lose their all. He wrote a polite letter to the Governor on February 6, asking for an impartial re-examination of the issue. Bureaucratic arrogance was evident in the reply sent by a subordinate officer. The Commissioner of the Northern Division had the audacity to describe men like



Vallabhbhai as “a swarm of agitators living on the people of Bardoli”. Mahatma Gandhi was provoked into asking what sort of perversity it was which led an alien Government to call leaders like Vallabhbhai foreigners to Bardoli.

Munshi felt that his style of living in Bombay was unpardonable when an inferno was raging in one part of his dearly-loved Gujarat. He decided to go to Bardoli and see things for himself. He had promised the Governor that he would do so and report to him about the state of affairs there strictly as a “constitutionalist”. He accordingly visited the taluka on June 16. Conveying to the Governor his impressions about the Bardoli struggle, he maintained that the men who led it had no intention at all of importing politics into it. The popular protest was complete and spontaneous. In the taluka, with its 130 villages, 69 out of 90 *patels* and 11 out of 15 *talatis* had resigned. Munshi further wrote: “In a few villages which I visited not a man or woman, was either sorry for the attitude or shaken in the faith which he or she had adopted”. Munshi’s correspondence with Sir Leslie Wilson had a strong impact on informed opinion. Commenting on Munshi’s last letter to the Governor, Mahadev Desai, the Secretary of Mahatma Gandhi, wrote: “This letter sent a thrill through the hearts of all who had any fellow-feeling for their compatriots and placed the Bardoli question in the forefront of all questions engaging public attention”.

The Bardoli episode drew Munshi closer to the Mahatma and the Sardar. It became impossible for him to keep himself away from them, especially when a great popular movement had been launched for national liberation. He rejoined the Congress on April 14, 1930, and was arrested fourteen days later. He was sentenced to six months’ imprisonment and a fine of Rs. 300 for taking part in the Salt Satyagraha and was sent

to Yeravda Central Prison in Poona. During this period, Sir Tej Bahadur Sapru and M.R. Jayakar visited the prison to have discussions with Gandhi to promote an understanding with the Irwin Government. Nothing came out of the move immediately.

The Sardar's capabilities as an organiser and disciplinarian became more widely known when the Congress decided to form its ministries in a majority of British Indian provinces in 1937 under the Government of India Act of 1935. His role as the Chairman of the Congress Parliamentary Sub-Committee was unenviable, but he played it with superb self-confidence and impartiality. K. F. Nariman, a front-rank Congress leader of Bombay, who had won a great reputation as a fearless fighter of official corruption, nursed a grievance against the Sardar on the ground that he was prevented from becoming the Premier of Bombay by rejecting him as the leader of the Congress legislature party. The part played by him in 1934 stood against him on this occasion. In that year, he and Dr. G. V. Deshmukh had been chosen as Congress candidates to contest two seats in the Legislative Assembly from the city of Bombay. The electoral rolls were published on July 14 and nominations were invited till the afternoon of October 11. While Dr. Deshmukh took the trouble of verifying his eligibility, Nariman did not, although he was expressly asked to do so, especially when he and his brother bore the same initials. As late as October 10, he told a surprised Sardar, who was about to leave for Wardha, that he was debarred from contesting the elections. *Much* against Munshi's will, the Sardar persuaded him to step into the breach. Nariman's strange behaviour was attributed to his friendship for the rival candidate, Sir Cowasji Jehangir, whose victory he probably wanted to ensure. The Sardar could not easily forget the defeat of the Congress candidate.



Overcoming its revulsion for the Act of 1935, the Congress assumed the responsibilities of government in eight out of the eleven British Indian provinces. B. G. Kher became the Premier of Bombay province, with Munshi holding the key Home portfolio. How Munshi acquitted himself as a Minister and grappled with the communal problem will be discussed in a subsequent chapter. He says that the Sardar was the main source of his strength during that period. They were together in the Yeravda Prison in 1940-41 and when Munshi fell ill, the senior man looked after him with “almost maternal care”. They had come to understand each other “instinctively”. Munshi was deeply impressed with the Sardar because he was a man of determination and was single-minded in the pursuit of his goal. During the pre-independence period, the Sardar gave his unquestioning loyalty to the Mahatma because he convinced that disciplined behaviour was the *sine qua non* of success.

To him the cause was always greater than the man. He was made of a sterner stuff which ensured that the Congress remained a disciplined organisation during the momentous nineteen thirties and forties. His personality was a power and there was about him a force of mind and down-rightness which greatly appealed to the honest and caused dismay to the guilty. It could be said of him, as it was said of a great Roman, that it was harder for him to utter threats than to execute them. And yet he was the most generous and considerate man. “To work under Sardar”, says Munshi, “had been always a privilege and pleasure, for above all he was a wise and generous chief”.

## Swaraj Without Substance

AS WE SAW IN AN earlier chapter, the Montagu Chelmsford proposals, which were churned into the Government of India Act of 1919, were most disappointing. Besides causing dissatisfaction even to moderate Indian opinion, the curious structure of the constitutional scheme ensured its failure. Disillusionment soon came to those who had set out to give it an honest trial. Sir C.Y. Chintamani, a liberal statesman of great distinction, who had become a Minister in the United Provinces under the new dispensation, narrated his experience on May 20, 1923. He said: "At the top there is the Governor whose relation to his Ministers is not the true relation of the Governor in the self-governing Dominions to his Ministers but the relation of a superior authority in whom much reserve power is vested". Another co-operating Indian, Sir A.P. Patro, a Madras Minister, complained in June 1924 that the Ministers were so "completely under the power of the Governor" that there was no room for the development of "joint and corporate responsibility under the circumstances".

This is not surprising because the British Government never intended to leave India until the compulsions of the second world war forced it to give up its obstinacy. The British bureaucracy in India was notoriously hostile to Indian political aspirations. Munshi, who entered the Bombay Legislative Council in 1926, did not take long to realise that the legislatures under the Act of 1919 were little more than



consultative, deliberative and advisory bodies. His visit to Simla convinced him that the bureaucracy was all powerful in this country. "Experience" he wrote, "revealed one thing: the bureaucracy was in all matters inflexibly hostile to nationalist Indians". Only assertive Governors General could really claim to govern the country. Others merely allowed themselves to be guided by the "men on the spot". He described Lord Irwin, whose Viceroyalty from 1926 to 1931 was marked by epoch-making events, as the fly on the wheel which thought that it turned the official machine.

Birkenhead was an extremely alert Secretary of State for India. The Act of 1919 provided for an investigation into the constitutional future of the country at the end of every ten year period. The Noble Lord felt that it would be disastrous to Britain's imperial interests if such an inquiry was to be authorised by the so-called radical British Labour Party when it came into power. This able but diehard statesman apprehended a Bolshy behind every lamp-post and at every street corner! He, therefore, used all the resources of conservatism in selecting the leader of the Statutory Commission to sit in judgment on India's fitness for self-rule. It was to be an all-White Commission, presided over by an ardent worshipper at the shrine of imperialism.

Sir John Simon, upon whom the choice of Chairmanship fell, was a brilliant advocate who had a reputation as the most expensive lawyer of his country. He was given six colleagues, all of whom belonged to the category of Shelley's "illustrious obscure". Only one of them, Clement, Attlee, eventually emerged from obscurity to become his country's Labour Prime Minister. Simon was a notorious reactionary. His conservatism repelled most of his forward-looking countrymen.

His Commission, whose appointment was announced in November 1927, arrived in India in February 1928 for a preliminary investigation and to secure Indian collaboration in its undertaking. Simon's suggestion for a "joint free conference" with Indian legislators was categorically rejected by the Central Legislative Assembly which refused to cooperate with the Commission except on equal terms. There was countrywide opposition to the foreign investigators who were greeted with a forest of funereal banners wherever they went. The Commission's second visit, which lasted from October 11, 1928 to April 13, 1929, drove the country into a minor holocaust. Many respected leaders were insulted and manhandled by the police when they led protest demonstrations. The great Punjab leader, Lala Lajpat Rai, was brutally assaulted by the police which ended in his death.

The report of the Commission, published in May 1930, faithfully reflected the mind of its Chairman. It is precisely because it gave away nothing that it was hailed as a "constitutional masterpiece". The Commission recommended the abolition of the hated system of dyarchy but this fact did not improve the position of the ministers who were condemned to remain subservient to the Governor as before. The Governor should indeed have an unchallenged right to take over the administration of his province and should be further empowered to "restore rejected demands for grants, and to certify legislation if in his opinion it is essential for any interest in the province". The provinces were thus to have a kind of guided democracy—a "privilege" that was firmly denied to the Centre which was to remain unsullied by the taint of popular control over it. "Our own view", the Commission said, "is that, until the provinces of India have established themselves, by the working of unitary governments as self governing units, the ultimate form which the Central



Government of India will take cannot be determined”.\* ‘The one good thing about this reactionary report is that it became out of date even before its publication, causing deep mortification to its chief author.

The fall of the Conservative ministry and the advent of Labour to power in England in May 1929, with Ramsay MacDonald as Prime Minister and Wedgwood Benn as Secretary of State for India, kindled the hope in this country that the new British rulers would respond favourably to Indian political aspirations. On his return from mid-term leave, the Viceroy announced on October 31, 1929, that he had been authorised to state clearly that in the judgment of the British Government “it is implicit in the declaration of 1917 that the natural issue of India’s constitutional progress, as there contemplated, is the attainment of Dominion Status”. Indian leaders interpreted the announcement as meaning that the proposed London conference would be held not to discuss when Dominion Status would be given to India, but to frame a constitution conferring that status on her. The deliberations there would be simple and straightforward in order to settle the terms of Indian freedom.

The Irwin announcement created a mighty furore in England. Whitehall lost no time in going back on its own commitment. The Viceroy laid at rest all speculations about his October announcement when he told the Legislative Assembly in January 1930 that “the assertion of a goal is of necessity a different thing from the goal’s attainment. No sensible traveller would feel that the clear definition of his destination was the same thing as the completion of his journey”.

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\**Report of the Indian Statutory Commission* (Simon Commission), Volume II, Government of India, Calcutta, 1930, para 17, p. 143.

Mahatma Gandhi was prepared to accept a variant of complete independence if it meant a substantial devolution of authority to Indian hands. Such conciliatory attitude produced no immediate results, but the deadlock was broken in the following year when Gandhi and Irwin held prolonged discussions on the Indian problem. The outcome of the talks was a pact between the two, signed on March 5, 1931. The terms of the agreement revealed that as a political negotiator the Mahatma could be over-generous. He was neatly outmanoeuvred by the Viceroy and heartily abused by that sublime reactionary, Winston Churchill, who called him a “half-naked” and “seditious fakir”. Gandhi, however, never felt discomfited because he knew that his cause was not only just but invincible. Munshi viewed the Pact realistically. He wrote: “It was the greatest event in Indian history for centuries. An Indian representing the whole of India had entered into an agreement as a High Contracting Party with the representative of the greatest Empire in modern times”.

On Irwin’s retirement, he was succeeded to the Indian Viceroyalty by Lord Willingdon in April 1931. Willingdon had earlier put in long service in this country as Governor of Bombay and Madras and was sixty-five years old when he assumed the new office. The *injudicious* recommendation of a Socialist successor to Irwin by the Labour Prime Minister vastly improved the chances of this old man for that exalted position. In dealing with the Indian political situation, the Viceroy addressed himself to the achievement of two objectives: first, to reduce the Gandhi-Irwin Pact to a dead-letter by reviving official repression and, secondly, to manage somehow to send Gandhi to London to attend the second session of the Indian Round Table Conference. The second goal was as important as the first, from the imperialist point of view. It was felt that Congress absence from such important deliberations would



greatly depreciate their value. More importantly, its presence was considered essential to demonstrate to a watching world India's "unfitness" for self-rule by means of a carefully-contrived fiasco of the talks.

The first Round Table Conference, which began on November 12, 1930, and dispersed on January 19, 1931, was, like its two successors, foredoomed to fail. The Conservatives, whose influence over their national affairs was always dominant, no matter whether they were in office or not, had made a firm resolution not to allow any worthwhile transfer of power to Indians. At the second Round Table Conference a Federal Structure Committee was set up to examine the feasibility of framing a federal constitution for India. Munshi prepared a note, making a critical assessment of the system, and submitted it to Mahatma Gandhi. His conception of federation was, however, fundamentally different from that advocated by the Conservative diehards and their faithful ally, the Princely Order. He envisaged a federal government based on real power. It must be a government armed with plenary powers to perform all the functions pertaining to a truly national government. At a dinner party in Bombay the Maharaja of Bikaner invited him to give his views on the subject. Munshi explained to his audience that if the rulers of the States were given a well-defined share in the federal government, they should cease to insist that they were "sovereign" entities.

Although the first London conference on India was marked by solemn speeches and declarations, its outcome was singularly sterile. Mahatma Gandhi had no illusions that his presence in the second round of talks, which began on September 7 and ended on December 10, 1931, would be productive. The Labour Government, even if it was sincere, could not do much on the Indian question. It would have been

brought down if it had ignored Conservative prejudices. Meanwhile, a grave financial crisis led to the replacement of that Government by a coalition of three parties, with the turncoat Ramsay MacDonald continuing as the Prime Minister and Sir Samuel Hoare (later Lord Templewood) taking the place of Wedgwood Benn in the India Office.

Gandhi returned to India, reaching Bombay on December 28, 1931. The spectacle that confronted him in the country was forbidding. Willingdon had made the most irresponsible use of his special powers in an attempt to suppress Indian national spirit. Hoare, the Secretary of State, felt constrained to admit that “the Ordinances that we have approved are very drastic and severe. They cover almost every activity of Indian life”. Repression is a standard technique employed by all tyrants and oppressors, but in most cases it has proved singularly ineffective. This truth was confirmed in India, as it was in Ireland. There was always a sizable number of men and women in the country who were prepared to invite any suffering by following the Mahatma. On the evening of January 3, 1932, Munshi’s mother, Tapibehn, met Gandhi at his prayer meeting. When he asked her whether she would agree to her son going to jail, she promptly replied: “I have entrusted my son to you”. She was old and infirm and yet she cheerfully told her son: “I won’t die till you return”.

Indian interest in the London talks had reached the vanishing-point when the third and last Round Table Conference assembled there on November 17, 1932. The session was brief and ended on December 24. Its poor credibility was further eroded by the absence from the Conference Table of the Indian National Congress and the British Labour Party. The decisions taken at the three Round Table Conferences were summarised and published as White Paper on March 15, 1933. A powerful



team of no-changers, drawn from both Houses of British Parliament and led by Lord Linlithgow, the future Viceroy of India, was detailed to institute a searching scrutiny into the provisions of the White Paper and to tighten up the loose ends that might have been inadvertently left in the document by way of concessions to India. The Joint Parliamentary Committee, as it was called, was indeed a redundant body because by then the Tories had come into power. Twenty-seven persons from British and Princely India were associated with the Joint Committee as assessors whose views were heard but ignored. The Committee declared pontifically that “responsible government is not an automatic device which can be manufactured to specification. It is not even a machine which will run on motive-power of its own”.

The Government of India Act, 1935, Britain’s last essay in constitution-making for this country, furnishes a conspicuous example of a mountain labouring a mole. The Act was a counterfeit of Dominion Status. Six out of the eleven provinces were given bicameral legislatures, those of the rest being unicameral. The Lothian Committee rejected the principle of manhood suffrage and recommended the enfranchisement of some 30 million people. The dual system of government, popularised by Lionel Curtis and incorporated in the Act of 1919, was done away with. discretionary and overriding powers of the Governor were, however, retained. The Ministers could not claim the right to tender advice to him in the exercise of his discretionary powers. It was perfectly open to him to render the working of even such a gravely attenuated form of provincial autonomy nugatory if he considered such a course of action necessary.

The Centre was saddled with a unique form of federation, the federating units being the eleven British Indian provinces and

a medley of principalities, numbering some five hundred. In the bicameral federal legislature, the States were given 125 seats in the Lower House or one-third of its total strength and 104 seats in the Upper House or two-fifth of its strength. The whole idea behind the provision for the States' accession to the federation was, as we shall see in a subsequent chapter, to give them a decisive voice in the government and thus ensure the permanence of the British Raj in this country. The principle of dyarchy or divided responsibility was resurrected for the working of the federal executive. Defence, external affairs and ecclesiastical administration belonged to the exclusive jurisdiction of the Governor-General. In addition, he was armed with discretionary powers in order to fulfil his "special responsibilities". His role as the Grand Moghul of the British Raj in India remained unaffected. And yet L.S. Amery, who became Secretary of State for India in Churchill's wartime Ministry, declared that this thoroughly illiberal document represented "a remarkable feat of constructive statesmanship". In India, nearly every important section of opinion categorically rejected the new statute.

Nevertheless, the Congress decided to enter the constitutional arena to gain the two-fold objective of drawing the maximum benefit from the provincial administration and of combating the federal scheme. Munshi was in whole-hearted agreement with this decision. He was firmly opposed to the boycott of legislatures and was convinced that "training through parliamentary or administrative work was as important in our struggle for freedom as propaganda or constructive work outside". He saw no consistency in the Congress decision "to combat the Act and the policy underlying it" and its willingness to accept the responsibilities of government under its provisions. He wrote: "In moments of action, the Congress had always seesawed between high idealism and stern realism. And their coordination had been possible only by the marvellous powers



which Gandhiji possessed of evolving formulas". He believed that, despite its limitations, the new constitution gave "considerable powers to the ministries within the restricted provincial sphere".\*

Ministries could not be formed without fighting and winning the elections, for which organisation was necessary. Munshi decided to play an active role in reviving the Swaraj Party. Immediately on his release from the Bijapur prison in Karnataka in December 1933, he rushed to Madras where Mahatma Gandhi had gone to apprise him of his views on office acceptance and to win his consent for the move. While in Madras he was the guest of Rangaswamy Ayyangar, the talented Editor of the *Swadesamitran* and later of *The Hindu*. Ayyangar was in entire agreement with his guest on the need for bringing the Swaraj Party back to life. He had already taken certain steps in that direction. After corresponding with Dr. B.C.Roy, the Bengal leader who later became the Chief Minister of that State, he had prepared a scheme providing for organised parliamentary activities by those Congressmen who chose to pursue this course of action. The guest and the host prepared another scheme and submitted it to the Mahatma for his approval. Munshi emphasized the need for such an activity if only to overcome the prevailing atmosphere of frustration. Gandhi saw no objection to move and told Munshi that he was free to sponsor it.

Both Munshi and Ayyangar thought that their cause would receive the needed impetus if they could enlist the support of Dr. M.A.Ansari, the widely respected nationalist Muslim leader. Not only he, but Maulana Abul Kalam Azad and Mrs. Sarojini Naidu showed interest in it. Decision was taken to convene a conference of like-minded Congressmen so that a regular "council-entry" movement could be launched. The terrible Bihar

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\*1 *Follow the Mahatma* by K. M. Munshi, p. 144.

earthquake on January 15, 1934 and the death of Ayyangar on the 5th day of the following month did not augur well for the project. But its champions were determined to see it through. After a number of discussions and deliberations, including those held in Dr. Ansari's Delhi residence on March 31 and April 1, the Swaraj Party was brought into existence again. At the Delhi deliberations, Munshi suggested that the Mahatma's consent should be obtained to their programme, that Dr. Ansari should accept the Chairmanship of the new party and that Dr. B.C. Roy, M.S. Aney, Bhulabhai Desai and others should give their undivided attention to the propagation of the council entry message. Dr. Roy regretted his inability to function outside his province. At a convention of the Swaraj Party held at Ranchi in April-May, 1934, Bhulabhai Desai moved a resolution rejecting the White Paper and demanding the establishment of a Constituent Assembly to frame a suitable constitution for the country.\* For all the trouble he took in seeking the revival of the Swaraj Party, Munshi received only brickbats from some Congressmen. He would have given up the effort as a thankless one were it not for the support of Mahatma Gandhi and other friends.

The Congress contested the 1936 - 37 general elections with such thoroughness that it won the admiration of all impartial observers, including Sir Harry Haig, Governor of the United Provinces from 1934 to 1939. Resident Congress workers in nearly every village became active and carried the message of their party to the humblest homestead. In consequence, its electoral victory was overwhelming. Of the 1,585 seats, it won 711, which was acclaimed as an outstanding feat. Even so, it was not in a hurry to seek office. It had long

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\**Pilgrimage to Freedom* by K. M. Munshi, Volume I, pp. 33-41.



been at war with the foreign Government whose bureaucracy had come to look upon the white cap as the symbol of sedition. Non-Congress elements, to whom cooperation with the authorities was an article of faith, would feel cheated if they were denied the loaves and fishes of office. The new constitution gave only a modicum of authority to the popular ministries and a hostile Governor could reduce even this to a chimera. Acceptance of responsibility without power was, therefore, considered as not only ridiculous but dangerous. The Congress accordingly directed in March 1937 that ministerships should not be accepted unless "the leader of the Congress party in the legislature is satisfied and is able to state publicly that the Governor will not use his special powers of interference or set aside the advice of Ministers in regard to their constitutional activities".

By this demand the Congress certainly did not want the Governors to be divested of the special powers statutorily conferred on them, but it did desire that such powers should not be used in order to thwart the initiative and enterprise of the popular ministries. There was a good deal of discussion both in India and in England about the legitimacy of Congress stipulation. It was, however, belatedly realised that it was well within its rights to seek such a guarantee. On June 17, 1937, the required assurance was given by Neville Chamberlain, the British Prime Minister. Five days later, on June 22, the Viceroy, Lord Linlithgow, followed his example.\* (Detailed reference to these assurances will be made in a subsequent chapter). The elucidation of the constitutional position by two such authorities decided the Congress to accept the responsibilities of government. In July, its ministries were formed in eight out of the

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\**Linlithgow's Speeches and Statements, Government of India, 1945, p. 80.*

eleven British Indian provinces. All of them remained in office till October 1939, when they resigned on the issue of Britain's war and peace aims with reference to Indian freedom.

Ministry-forming did not have smooth sailing in Bombay. K. F. Nariman, President of the Bombay City Congress Committee, was confident that he would be chosen as the leader of the Congress Legislature Party, which would entitle him to head the ministry in the province. His friend, Sir Cowasji Jehangir, wielded much influence with the Governor, Lord Brabourne, which encouraged him into believing that he was sure to be called. He had, however, antagonised the Congress High Command by his dubious role during the 1934 elections to the Central legislature when he abruptly withdrew his candidature, thus contributing to the defeat of the substitute Congress candidate. The choice of the leadership fell on B. G. Kher, a solicitor by profession and a man of great simplicity and high ideals. Munshi, who was also an aspirant for the premiership, knew that his chances were slender. He was, however, happy that the mantle fell on Kher, his friend from the time he joined the Articled Clerks' Association at the beginning of his legal career. Kher was in those days Secretary to Justice Beaman and had helped Munshi in every possible way in his profession.

Munshi was keen on having the portfolios of Law and Education but was persuaded to take Home. The Ministry, which was sworn into office on July 17, 1937, consisted of able men. Munshi's performance as Minister in Bombay and later at the Centre in free India will be discussed in a subsequent chapter. Despite many disadvantages, Congress Ministries in most of the provinces gave a good account of themselves. Apart from the fact that most of their members were men of superior calibre and were inspired by a genuine spirit of service, their doings were watched with the unsleeping eyes of *argus* by



Mahatma Gandhi, Jawaharlal Nehru and Sardar Vallabhbhai Patel. The elite of the bureaucracy, the Indian Civil Service officers, behaved, in the words of Munshi with “meticulous rectitude”. The Governor, Lord Brabourne, and his successor, Sir Roger Lumley (later Lord Scarborough) were cooperative. The constitution allowed the ministries little scope for launching ambitious nation-building projects, but in the limited area that was vouchsafed to them they were unhampered in the pursuit of their activities.

There is an impartial testimony to the fact that in most of the Congress provinces, the Ministers worked with great earnestness. Two Governors, Lord Erskine and Sir Harry Haig, were all praise for them. I offer no apology for quoting the latter at some length. Sir Harry said: “To sum up my conclusions on events and tendencies of such complexity and variety is perhaps to risk misunderstanding owing to the necessary brevity of expression. But if I am to take that risk I would say that the experiment of introducing full democratic institutions among a people who still instinctively, think in authoritarian terms, who view the Government as somebody’s ‘Raj’, has been launched with a success beyond expectation. Congress and the Services, starting about as far apart as it was possible to be, learned to work together. The Congress learned the stubborn facts of administration. The Services learned the implications of democratic control. The party, which had hitherto always been in opposition, and often in extreme and even unconstitutional opposition, to the Government, took over the reins of government. The revolution in the ideas of the masses caused by this change was kept, on the whole, within the bounds of

safety. It is no mean achievement, and both the Congress and the Services share in the credit for this”.\*

Jawaharlal Nehru, an impatient idealist and a severe critic of the Act of 1935, was also impressed with the performance of Congress Ministries. He wrote: “I was often critical of the work of the Congress Governments and fretted at the slowness of the progress made. But, looking back, I am surprised at their achievements during a brief period of two years and a quarter, despite the innumerable difficulties that surrounded them”. What the fate and future of India would have been had the Congress remained in office for a reasonably long period, it is impossible to say. There is indeed no wisdom in speculating on the possible and the contingent. Jinnah, whose frustration deepened with years, soon got his opportunity to wage a war on the secular and nationalist forces in the country. He had sworn implacable hostility to Congress Ministries whose very success proved fatal to India’s territorial integrity. Communalism in India came of age during the Second World War.

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\**Constitutional Proposals of the Sapru Committee, 1945, quoted on page 28.*



## VI

# The Communal Canker

MUNSHI WROTE A GOOD DEAL on the Hindu-Muslim question both before and after national independence. He felt that a section of the Muslim community had persuaded itself that it belonged to the “master race”. Centuries ago, when Muslim power in this country had reached its height, there were some rulers and members of their dependent aristocracy who believed in the preposterous doctrine, but it was shattered following the revival of Hindu supremacy. Indeed, the martial races of India never accepted the hegemony of a religious minority as a natural order of things. They fought back and eventually brought to an end Muslim domination in most parts of the country. The Vijayanagar Empire, which lasted from 1336 to 1565, commanded the allegiance of the entire South. Despite the reverses to their arms at Panipat in 1761, the Marathas were in the plenitude of their military power till the end of the eighteenth century and were within an ace of winning continental sovereignty. Sir Alfred Lyall, an authority on the British Indian period, wrote that it was “fortunate for the English that they did not come into collision with such antagonists until their own strength had matured, since there can be no doubt that throughout the later stages of the tournament for the prize of ascendancy between England and the Native Powers, our most dangerous challengers were the Marathas”\*. The Sikhs in the Punjab, the heartland exemplary of

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\**The Rise and Expansion of the British Dominion in India* by Sir Alfred Lyall, John Murray, 1907, pp 136, 137.

present day Pakistan, the Rajputs in Rajasthan and the jats in Central India had established their supremacy, leaving, only a few pockets of Muslim rule in the country.

After the advent of Islam to India, the antagonism between the two principal communities did not last indefinitely. Even Mahumad of Ghazni, who invaded india seventeen times, had three Hindu generals to assist him. Muhammad Ghorī, another man of the sword, imprinted the image of goddess Lakshmi on his gold coins together with a legend in Sanskrit. Some of the Sultans of Delhi were uninhibited sadists, but the political, social and economic compulsions brought the two communities closer together. The Sultans of Kashmir, Bengal and of other parts of the country made no great distinction between their own faith and Hinduism. For instance, Zainulabdin of Kashmir often made a pilgrimage to Amarnath and visited the Sharada Devi temple. The eighteenth century ruler of Mysore, Hyder Ali, made a public avowal that all religions proceeded from God and that all were equal in the eyes of God. As a British historian has pointed out, Hyder Ali's veneration for the great idol in the temple of Srirangapattana was as great as "for all the Imams, with Mohammed at their head". The respect shown by the Hindu and Sikh rulers to Islam was exemplary.

Most of the prominent Muslim leaders who fought for Pakistan were of Hindu extraction. While the ancestors of Jinnah, founder of Pakistan, belonged to a Gujarati Hindu family, Sir Muhammad Iqbal, acclaimed as the Poet of Islam, was derived from the Kashmiri Pandit family of Saprus and was close to Sir Tej Bahadur Sapru, the Liberal statesman. Sir Abdullah Haroon, Chairman of the Foreign Relations Committee of the Muslim League, said on April 3, 1940, that Sir Sikander Hyat Khan's forefathers were Rajputs, while he himself traced his ancestry to a Lohana Hindu family. Sir Fazli Husain, who



was supposed to resemble the Irish Parnell as a man of determination, was the pillar of the Muslim League before Jinnah's unchallenged ascendancy. His family also once belonged to the Hindu religion and was strongly influenced by its ancestral faith in the ceremonies pertaining to birth and marriage. Except in the mode of their worship, the two communities are thus indistinguishable ethnically, culturally and linguistically.

Indeed, the interdependence between them was complete. Muslim rulers could not sustain their sway without the military support of the Hindu warlike communities. Nor was it possible for them to run their civil administration without enlisting the services of Hindu intellectual elite. The Kayasthas, the Khatris, the Pandits of Kashmir, the Amils of Sind and a few other Hindu castes became the mainstay of Muslim government. They learnt Persian, the language of the rulers, and gaining mastery over it, attained high positions in the bureaucracy. Some of Munshi's own ancestors joined Muslim governments as civil servants. He writes: "In the early decades of the 18th century, one of my forefathers, who served in the Secretariat of the Moghul Emperor of Delhi, was a Persian poet, presenting the Emperor with a laudatory poem on the latter's birthday. Another was the head of the Secretariat of the Nawab of Broach in the latter half of the 18th century. He has left behind a work containing an autobiographical introduction and the copies of the letters he had written to different rulers in India on behalf of his master in impeccable Persian, prefacing it with a citation from the Koran".\* Hindu rulers in their turn freely engaged the services of Muslims as soldiers and civilian officials. This tradition continued in the Princely India under the British paramountcy. Sir Mirza M. Ismail served with distinction as the Dewan of the

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\**Pilgrimage to Freedom* by K. M. Munshi, Volume I, footnote p. 65.

premier State of Mysore and later in the same capacity in the Rajput principality of Jaipur.

Without the knowledge of the two communities, the parting of the ways, however, began after the great rebellion of 1857, in which both participated enthusiastically. To the British, India was a pearl of inestimable price and it became the inflexible resolution of their ruling class not to lose it at all costs. They encouraged the myth, so tenaciously cherished by some sections of the Muslim community, that Muslims had been India's real rulers before the establishment of the Raj and that they would be enslaved by their former subjects should the foreign rule come to an end. They successfully practised the doctrine of counterpoise by placating Muslim vested interests. But British Machiavellism would not have succeeded if the Muslim intellectual classes had appreciated, as their Hindu counterparts had done, the formidable omens under which India was moving under the British Raj. Apart from the fact that it was against all reason to believe that the Raj would last for ever, the introduction of government by laws and of free institutions, the latter, however falteringly, was of fateful significance. Sooner or later, foreign rule was bound to end, paving the way for the establishment of a secular and democratic polity and thus rendering religious affiliations largely irrelevant in the government of the country. Such an enlightened view of the shape of things to come would have been possible if the Muslim intellectual classes had shown the same eagerness as the Hindus to take full advantage of the British institutions in this country. The introduction of English in March 1835, as the official language of the country and the abolition of Persian in 1857, as the language of the law courts was considered disastrous to the Muslim community.



In contrast, the adaptability of the Hindus was remarkable. Moving with the times had become a way of life with their intellectuals from a remote past. Beginning with Raja Rammohan Roy (1774-1833), the prophet of Indian nationalism and a persevering champion of modernism, a succession of Hindu social reformers and educationists laboured incessantly to liberate their community from the trammels of backwardness. More than their rulers, e.g. they were most clamant in demanding English schools so that they might learn the new language and qualify for the administrative posts and for liberal professions. While the Muslims complained that English was a difficult language to learn, the Hindus took to it enthusiastically on the ground that there was no vernacular for a truly cultivated person.

Sir Syed Ahmed Khan (1817-98) and Ameer Ali were foremost among the Muslims in realising the value of education for the advancement of their community. Ameer Ali, who rose to the position of a High Court Judge in 1890, laboured hard for Muslim regeneration, but in the public life he was overshadowed by his contemporary. Ahmed Khan, who gave a fateful turn to Indian Muslim history, was an official in the Judicial Department of the East India Company and became a favourite of the British for the services rendered by him to them during the rebellion of 1857. In fact, the Mutiny discovered for him his destiny as in the later period the Second World War did likewise for Jinnah.

Firmly believing that education was the best antidote to Muslim backwardness, Syed Ahmed Khan founded the Anglo-Oriental College in 1875 which developed into a full-fledged University in 1920 at Aligarh. He believed in Hindu-Muslim unity and had many friends from the majority community. Sir Tej Bahadur Sapru's grandfather was close to him. And yet this

great educationist and patriot, who could have gone down in history as the Muslim Raja Rammohan Roy, staged the most astonishing *volte face*. Loyalty to the British Raj was an article of faith with him. In the evening of his life, he came increasingly under the influence of the British Principal of the College, Theodore Beck, who indoctrinated him with the idea that representative institutions were foredoomed to failure in this country. British bureaucrats also cleverly worked upon the mind of the aged patriot. His long interview with Lord Dufferin, the Viceroy, and the award of the K.C.S.I. title transformed him into an entirely new person. He called the Congress a “stupid agitation” and dismissed the Bengalis as unwarlike

The separatists did not allow the grass to grow under their feet. When the question of introducing some changes in the administration was under consideration, a deputation of influential Muslims, led by the Aga Khan, waited on the Viceroy, Lord Minto, on October 1, 1906, to plead for preferential treatment for their community. They told the Viceroy that representative institutions were alien to Indian traditions and should not, therefore, be introduced in this country. If, however, the Government decided otherwise Muslim interests should be safeguarded through representation by separate electorates. Such representation should be “commensurate not merely with their numerical strength but also with their political importance and the value of the contribution which they made to the defence of the Empire”. Minto, an old and indolent reactionary, readily welcomed the deputationists’ suggestion for driving a wedge between the two communities. He eagerly grasped the opportunity to propound the thesis, so dear to imperialist hearts, that Indians would never be fit to come into their own.

The separatists immediately felt the need for an organisation to spearhead their movement for special privileges and



accordingly brought into existence on December 30, 1906, the Muslim League at Dacca. Appropriately, the Aga Khan became its first President and held that office till 1912.

About the Muslim League, the observations of one of its own shining lights ere conclusive; Choudhry Khaliquzzaman writes: "The Muslim League was dominated by the titled gentry, Nawabs, landlords and *jee huzoors* who were generally well-meaning gentlemen, but wanted to serve the Muslim cause only so far as it did not affect their position either socially or in Government quarters".\*

Discerning Indians and even Government leaders and official documents recognised that representation by religion was a grave hindrance to the development of the self-governing principles, but there was no powerful demand for its rejection. The system achieved statutory status with its incorporation in the Indian Councils Act of 1909 and figured conspicuously in all the subsequent constitutional reforms. Leaders like Tilak and Gokhale supported it in the belief that it would encourage the Muslims to join the mainstream of national life. It was the same untenable assumption which led to the famous Congress-League agreement of December 1916, known as the Lucknow Pact.

Mahatma Gandhi, who had made the promotion of Hindu-Muslim unity one of his most cherished aims, took the lead in the Khilafat movement which began in October 1919. He claimed that Indian Muslim concern over the future of distant Turkey and its effete Sultan gave "such an opportunity of unifying Hindus and Muhammedans as would not arise in a hundred years". The Muslim intelligentsia, whose memories, to quote Professor

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\**Pathways to Pakistan* by Choudhry Khaliquzzaman, Longmans, 1961, p. 137.

Coupland, “were more concerned with Islam than with India”, were delighted at the Mahatma’s enthusiasm, although some of the bigoted Mullahs wondered how a non-Muslim was entitled to lead a basically religious movement. Not all Indians welcomed Gandhi’s movement which, besides being totally unrelated to Indian interests, was demonstrably for a lost and discredited cause. The Right Honourable V.S.Srinivasa Sastri feared that the Mahatma’s campaign would “lead us into disaster”. Munshi has recorded that Jinnah warned Gandhi against encouraging religion fanaticism in the country. He held that the fate of Khalif and his country was none of India’s concern. The Nizam of Hyderabad, a consummate opportunist, banned the agitation in his State. Nevertheless, the non-cooperation movement of 1920 aroused much enthusiasm in the country. Munshi wrote: “Though we stood apart, we could not help admire the spirit of defiance and sacrifice which Gandhi ji had evoked”. But the cause, besides being irrelevant, was unjust and was doomed to fail.

The Indian Khilafat movement collapsed under the weight of its own futility. A large segment of the Muslim intelligentsia, which had taken part in it, made haste to return to communal politics, Maulana Mohammed Ali, whose Oxford education had failed to secularise his outlook, saw no enormity in declaring: “According to my creed, I do hold an adulterous and a fallen Mussalman to be better than Mr. Gandhi”. Not long before, he had acclaimed the Mahatma as one of the greatest men in the world. During the agitation, he had behaved like a mad mullah. Besides inviting the Amir of Afghanistan to invade India, he had told his fanatical followers that they should leave this country if the Khilafat question was not solved to their satisfaction. After the Khilafat fiasco, another Maulana, Abdul Bari, issued a vaguely-worded ukase called *fatwa*, which incited some twenty thousand illiterate Muslims to leave their hearths and homes in August 1920, in order to settle down in Islamic paradise of Afghanistan. The



Afghan authorities, however, pushed them back, with disastrous consequences, the credulous hordes.

On the Malabar coast in the South, a reign of terror was let loose in August 1921 by the local Muslim population known as Moplas, who believed that the British Raj come to an end and that they were now free to punish all those whom they regarded as the “enemies of Islam”. Dr. Annie Besant wrote that they “murdered and plundered abundantly, and killed or drove away all Hindus who would not apostatize. Somewhere about a lakh of people were driven from their homes with nothing but the clothes they had on, stripped of everything”. She held the Khilafat agitators responsible for the Mopla outrage. Communal violence became more widespread and savage in the country. Swami Shraddhanand, the great spiritual leader, educationist and social reformer, who had preached the gospel of national unity from the precincts of the historic Jama Masjid in Delhi, was done to death on December 26, 1926, by a Muslim fanatic.

Munshi, along with many others, believed that the grim situation in the county, resulting from the failure of the Khilafat agitation, could have been somewhat retrieved if only Mahatma Gandhi had responded to the Viceroy, Lord Reading’s offer of political concessions in return for the withdrawal of the popular movement during the Indian visit of the Prince of Wales in 1921. In the prevailing temper of political India, the Prince’s visit was not only untimely but imprudent.

Reading, a cunning and resourceful imperialist, hoped to mollify Gandhi and thus ensure the success of the Prince’s visit to India by making certain offers of political concession, conveyed to the Mahatma through influential nationalists, including C.R.Das, Pandit Madan Mohan Malaviya and Maulana Abul Kalam Azad. The first and the third-named leaders were then in prison. The Viceroy promised to hold a Round Table Conference soon to

formulate a constitutional scheme for giving full autonomy to the provinces and for introducing dyarchy at the Centre. Gandhi was prepared to consider the proposal provided the Viceroy committee himself to solve the Punjab and the Khilafat problems. His counter-offer was rejected so that nothing came out of the Viceregal move. It was later alleged that Gandhi was prompted by “about half-a-dozen Maulvis” to turn down the offer.

There is, however, no doubt that his stand caused much disappointment to many nationalist leaders. Munshi wrote: “Speculation about what might have happened if Reading’s offer had been accepted is valueless today. But it is impossible, as I look back over the span of forty-five years, not to entertain the feeling that had Gandhiji accepted Reading’s offer we might have obtained Dominion Status before 1939 without having had to partition India”.\*

Muslim demands for preferential treatment were further raised in March 1927 in the shape of “proposals”. Meanwhile, the Secretary of State, Birkenhead’s challenge to Indians to produce an agreed constitution stimulated new political activities in the country. A committee, with Pandit Motilal Nehru as Chairman, was appointed at an All-Parties Conference held in May 1928, to draft a scheme for a self-governing India. The committee conceded most of the Muslim demands except the one pertaining to representation by religion.

According to Munshi, Jinnah was in a truculent mood when the Nehru proposals were discussed. Jinnah insisted that Muslims should have one-third representation at the Centre besides the residuary powers being vested in the provinces. Even more formidable was the opposition of the Aga Khan.

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\**Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 23.



When Gandhi attended the Second Round Table Conference in London in September 1931, there was a well-planned conspiracy among the Indian communalists and British diehards at the Conference to defeat his mission. Hoare conceded that Gandhi held "one of the master keys to the book of the constitution that we were trying to write and that the Mahatma was most certainly "not the relentless and scheming conspirator that many of my friends imagined". And yet the great leader was asked to perform the impossible feat of coming to terms with the Aga Khan on the communal question. Important observers noted that the carefully hand-picked Muslim delegation at the Conference was determined not to yield to nationalism. Professor Harold Laski, who was actively associated with the deliberations, saw how impossible it was to promote a *modus vivendi* with the Muslim separatists. In his correspondence with Justice Holmes of America, he disclosed that on being asked to "bring the Mohammedans to reason" he had their "leader here for hours trying to find a basis for discussion". But, continued this perceptive and impartial man of learning, "it was like talking to a wall. His religion was the ultimate truth, and he was never even willing to find a plane of secular institutions which implied, so to say, a non-theological society. It was like being taken back into reformation times. The Professor found it impossible to talk to men who believed themselves to have ultimate truth in their possession".\* It is small wonder that Mahatma Gandhi gained nothing from the Aga Khan and announced the failure of the talks on October 8, 1931.

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\**Holmes-Laski Letters: The Correspondence of Mr. Justice Holmes and Harold J. Laski*, 1916-1935 edited by Mark De Wolfe, Harvard University, 1953, pp. 1332, 1335, 1338.

The outcome of these sordid developments was the plea to the British monkey to distribute butter “equitably” between the two quarrelling Indian cats. The Prime Minister, Ramsay MacDonald, was requested to prepare a scheme for the composition of the new Indian legislature. Known as the Communal Award, the scheme was published on August 4, 1932. The Award confirmed the widely-held belief that the Indian separatists could always get more from the Raj than by making common cause with the nationalists. Accepting the disruptive principle of separate representation the Award divided the Indian electoral system into twelve mutually-exclusive compartments, namely, the Hindus, the Muslims, the Sikhs, the Anglo-Indians, the European community in India, the Depressed Classes, the Indian Christians, Commerce and Industry, landlords and the monied classes, Labour, University graduates and women. The Award was a millstone around India’s neck and, as impartial observers pointed out, exacerbated communal feelings instead of calming them. It was a windfall for dissident elements in the country.

As we saw in the last chapter, the Congress won a resounding victory in the 1936-37 elections and formed its ministries in most of the British Indian provinces in July 1937 after receiving an assurance from the Viceroy that the Governors would not use their special powers indiscriminately. The party encountered difficulties in choosing Muslim ministers in two provinces. In Bombay there was no elected Nationalist Muslim, who could be selected for the office. When Jinnah and Munshi were together in the Bar library of the Bombay High Court, the former suggested that Congress and the Muslim League should team up to run the provincial governments. Munshi conveyed his proposal to the Mahatma and the Sardar. Later when B. G. Kher and his colleagues took office, Sir Cowasji Jehangir, an influential Liberal Parsi baronet, spoke to



both the Sardar and Maulana Azad about Jinnah's wishes. At that time both these members of the Congress Parliamentary Board were Munshi's guests at poona. Munshi has recorded that during most of the discussions he and Kher were present. Jinnah demanded that there should be two Muslims in the Bombay Cabinet and that they should be his nominees. They would be neither the members of the Congress nor would they be amenable to its discipline. Munshi writes: "In effect, they would be at the disposal of Jinnah to obstruct, defy or sabotage and, by using a veto, blackmail the Congress into submission". The Sardar and the Maulana saw no wisdom in accepting such an imprudent proposal. Eventually, an Ahmedabad lawyer, Mohamed Yasin Nuri, an independent Muslim, was inducted into the Kher Ministry. The other frustrated Muslim Independents made a beeline to the Muslim League.\* The United Provinces, now known as Uttar Pradesh, imbroglio was, however, far more serious and drove the iron into Jinnah's soul.

The Muslim League was solely interested in spreading a canard about the Congress ministries. There is conclusive evidence to show that the ministries were animated not only by a high sense of purpose but also of fairness in their dealings with all sections of the population. In London, Sir Harry Haig, former Governor of the United Provinces, stated at a meeting presided over by Sir O'Neil, Under Secretary of State for India, that "in dealing with questions raising communal issues, the Ministers, in my judgment, normally acted with impartiality and a desire to do what was fair". *The Times*, not a friend of the Congress, conceded that the Congress ministries were "well-disposed to the Muslim community". Professor Coupland dismissed the League's charges as either "exaggerated or of little serious moment". Maulana Azad, who played a leading part in the

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\**Pilgrimage to Freedom* by K.M. Munshi, Volume I, pp. 47, 48.

formation of Congress ministries, reacted strongly against the League's propaganda. He said: "I can speak from personal knowledge that these allegations were absolutely unfounded. This was also the view held by the Viceroy and the Governors of different provinces". He added: "Every incident which involved communal issues came up before me. From personal knowledge and with a full sense of responsibility, I can therefore say that the charges levelled by Mr. Jinnah and the Muslim League with regard to injustice to Muslims and other minorities were absolutely false"\* . But truth, moderation and fair play were a casualty in those days and in the subsequent years.

It was impossible to make Jinnah see reason. He was bent upon coercing the Congress into conceding that he alone was the leader of the Muslim League and that the League was the sole representative of the Indian Muslim community. Like other intelligent people, he knew that the World War would be far more serious than its predecessor and that a hard-pressed British Government would need Indian co-operation in the war effort as never before. He was shrewd enough to realise that the Congress would agree to help only if its plea for self-government was not only heeded but effective steps were taken in that direction. It was equally clear that the British would not wind up their Raj in India of their own accord. An inestimable opportunity would thus arise for him to assert his own importance to secure official recognition that he was the sole leader of the Muslim community. He could then use his negative power to dictate his own terms both to the Government and the Congress. The resignation of Congress ministries in October 1939 in protest against Whitehall's obstinacy on the issue of Indian freedom transformed what would only have been Jinnah's day dreams into realisable goals.

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\**India Wins Freedom* by Maulana Abul Kalam Azad, pp. 21, 22.



## VII

### The War

MUNSHI WAS A STAUNCH Congressman. Although on occasions he separated himself from it, his loyalty to the organisation and its great leader, Mahatma Gandhi, was absolute. He had, however, certain convictions which he was not prepared to forsake for any reason. On the issue of constitutional reforms he was essentially a responsive cooperator. As a constitutional expert and a keen student of affairs, he knew, like any other knowledgeable person, all about the limitations of the Government of India Act, 1935. At the same time, he saw in the statute, as not many others had done, the seeds of progress which he was loath to abandon. He strongly felt on the issue of office acceptance since it provided an inestimable opportunity for the nationalists to widen the scope of the Act and thus shorten the distance for the country to reach Dominion Status which, as all discerning persons conceded, was equal to the status of Britain herself. Munshi also felt that only by accepting the responsibilities of government, the Congress would be able to hold in check communal, extremism. Taking this view of the Indian situation, he welcomed the Congress acceptance of office in 1937 as the highest act of statesmanship. Even an impatient idealist and a strong critic of the Act of 1935, Jawaharlal Nehru, acclaimed the experiment as a success.

The outbreak of the second World War in September 1939 was a momentous event to the entire mankind. It was

global in its range and total in its destructive potency. Not much perception was necessary to realise that the War would bomb the *status quo* out of existence. It was, therefore, futile to expect that the British Empire would remain unscathed at the end of the Titanic conflict. Aldous Huxley wrote that modern wars had the potency of shaking the “whole fabric of custom of law, of mutual confidence, of decency and humanity”. Centuries ago, Burke made the pregnant remark that “war never leaves where it found a nation”. It was clear that the post-war world would witness revolutionary changes and thinking men, especially in Britain and America, embarked upon a prolonged debate on how best those changes could be harnessed to the lasting good of mankind. Leaders of thought like Bernard Russell and H. G. Wells looked upon the war as crisis of civilization and drew up blue-prints for a bold re-organisation of human affairs on a just and equitable basis. Some of them asked for action in that direction even when the cannons were roaring. Professor Harold Laski, for instance, maintained, that “in war, the deed is the word”. In America, informed opinion had long been in favour of British withdrawal from India. Its leaders felt that the War provided an inestimable opportunity for Whitehall to take significant steps in that direction.

Those British rulers, who had succumbed to the seductions of imperial glory, were, however, not prepared to take such a realistic view of the situation. The Viceroy, Lord Linlithgow, was an ardent imperialist. He knew that the British Empire would not survive the impact of the war but refused to take any



forward steps towards constitutional reform unless the nationalists gave their ungrudging support to the war effort.\*

The Congress had good reason to be sceptical about the Viceroy's intentions towards India. In the name of consulting representative opinion, he started meeting all and sundry—Shefley's "illustrious obscure"—who could be trusted to present the most conflicting points of view. Nor was the Government prepared to give up its trump card, namely, the minorities. The Viceroy's statement of October 18, 1939, told the Indian people that "representatives of the minorities have urged most strongly on me the necessity of a clear assurance that full weight would be given to their views and to their interests in any modifications that may be contemplated". He was definite that unless "all parties and all interests in the country" asked with one voice for political concessions, there would be none. So much concerning the future. About the present, it would be possible to establish a consultative group, "representative of all major political parties in British India and of the Indian Princes", with a view to associating public opinion "with the conduct of the war and with questions relating to war activities". There was no talk of relaxing bureaucratic absolutism by taking Indians as partners at the Centre in the government of the country.

The Congress was furious. Deliberating for two days on the political situation, its executive registered on October 22-23, an emphatic protest against the Viceroy's offer. Its resolution said: "What the Committee had asked for was a

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\*The Viceroy said: "English is making a colossal effort to win the war and at the end of the war, as on the last occasion, it be exhausted. At that time there will be a tendency to liberalise the institutions of the Empire. India should not then be found unprepared and disunited". Munshi's Note on his interview with the Viceroy on January 12, 1940, *Pilgrimage to Freedom*, Volume I, p. 391.

declaration of war aims as a test of Britain's *bona fides* regarding India, irrespective of the attitude of opposing parties and groups". It reminded the authorities that the political freedom the Congress was asking for was not for its own advantage but for the benefit of all sections of the population. The emptiness of the October announcement drove the Congress to withhold its support to the Government in its war effort since cooperation under such conditions "would amount to an endorsement of the imperialist policy which the Congress has always sought to end" As a first step in that direction, the Congress asked its ministries to resign. Its decision to vacate office in October 1939 and its refusal to go back to it till 1946 was of fateful significance since it gave a new and disastrous turn to the course of the country's history.

Linlithgow now turned to Jinnah, who at that time did not count for much either in Muslim or national politics. He was nursing deep resentment against the Congress in general and against Gandhi in particular for his own failure to be in the front rank of national leadership. The war became a God-send to him. He knew that on the issue of Britain's war and peace aims, the Congress would go into political wilderness, compelling the Viceroy to court him. He would then be able, not only to rehabilitate himself as an indispensable leader but also to wreak his vengeance on his Congress adversaries by holding up all constructive constitutional talks. As the first step in that direction, he ordered his party to celebrate December 22, 1939, as the Deliverance Day to mark Muslim "emancipation" from the "tyranical" Congress governments. He answered in the negative when confronted with the question whether he intended to champion the cause of other minorities. He admitted that the Sikhs and the Depressed Classes were on the side of the



majority community. A sizable section of enlightened Muslim opinion was also patriotic and forward-looking, but it did not suit either Jinnah or the Viceroy to acknowledge this fact.

The growing amity between the Viceroy and the League leader provided a strong incentive to the latter to persuade his party to adopt the famous partition resolution of March 1940. It was a dangerous resolution which sought to destroy all the good work the British had done to consolidate the territorial integrity of the country and to promote its administrative unity. India was thus exposed to an unprecedented risk of truncation. As the premier national organisation, the choice before the Congress in these circumstances was clear. It could not, of course, retrace its steps on the issue of national freedom, but efforts to preserve the country's territorial unity deserved absolute priority. It could hope to protect India's oneness only by cooperating with the Government and by re-occupying ministerial positions in the provinces. It was clear that the Churchill government would not prevent the Congress from seeking to nullify the partition resolution. Freedom would not come to her during war time but was no longer in Whitehall's power to withhold it as part of post-war settlement.

That was an agonising time for Munshi. He was both intellectually and emotionally attached to India as an indivisible land of his ancestors. In his literary creations he had put her on the highest pedestal among the nations of the world, recalling her inestimable services in the cause of human enlightenment. Even a foreign politician like Ramsay MacDonald had written enthusiastically about India's unity. He held that from the Himalayas to Cape Comorin, from the Bay of Bengal to Bombay, the country was "naturally the area of a single government". He further observed: "Political and religious

tradition has also welded it into one Indian consciousness. Even those masses, who are not aware of this, offer up prayers which proclaim it and go on pilgrimages which assume it". Munshi, whose knowledge of India's ancient lore was profound, felt the prospect of her dismemberment with the intensity of a personal bereavement. He decided to fight against it as best he could.

He was convinced that the "creed of disruption" had so far thriven on appeasement and he accordingly appealed to his countrymen to unite in order to defeat the Muslim League's separatist politics. He invented the famous expression Akhand Hindustan or undivided India and sought to popularise the concept of the country's indivisibility by speaking about it over the length and breadth of the country. Akhand Hindustan, he asserted, "is a living reality which no man in his senses dare trifle with". Nature and man had preserved the country as an indivisible entity and it was the heritage duty of every Indian to protect and transmit this great heritage to posterity. He wrote: "From Amarnath to Rameshwaram, from Dwaraka to Kalighat, the land is one and indivisible. It is sanctified by the sacrifices of Indians of thirty centuries. It is the shrine at which our gods and fathers have worshipped. It is the hope of India's sons, it will remain such till the end of time. Its inviolability is the first article of their faith here, their salvation hereafter. Whoever seeks to part what has thus been joined will have to walk over the dead bodies of millions of Indians. And even then, India will remain indivisible".\* Such was the intensity of his feeling on the issue of India's partition.

At the same time, Munshi endeavoured to persuade the authorities to realise the error of their ways. When he met Linlithgow on January 12, 1940, to present his views on the

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\* *Akhand Hindustan* by K. M. Munshi, New Book Co., 1942, p. 23.



Indian situation and to ascertain the Viceroy's reactions to them, the latter had suggested to him that he should present his case before Sir Roger Lumley, Governor of Bombay. He accordingly prepared a comprehensive document and sent it to the Governor on June 8. Besides deploring the lack of imagination in Britain's India policy, he regretted the authorities' distrust of the Congress in the mistaken belief that it was opposed to British interests. It was not right to placate the Princely Order, the champion of the *status quo*. Muslim reactionaries were being encouraged to arrest India's progress towards freedom. States like the Nizam's Hyderabad were "financing and influencing" the separatist tendencies among the Muslims. Stalwarts like Sir Mohammad Zafrulla Khan and Sir Sikander Hyat Khan were being ignored. "Mr. Jinnah", Munshi wrote, "in spite of his cryptic utterances as regards the British rule, is unfriendly and his two-nation theory is as much a counterblast to British-imposed unity in India as to the national unity which Congress covets".

Pleading for a reversal of the reactionary British policy towards India, he emphasised the need for setting up a national government in the best interests of both the countries. He wrote: "In the end I may once again urge that setting up a strong National Government at the Centre is today neither a matter of convenience nor of fair-play as it was before May 10, 1940. It is a matter of extreme importance, both for Britain and India, of life and death urgency to the maintenance of the British influence in Asia and to the stabilisation of the East. It has to be achieved, if necessary, against the unimaginative traditions of ponderous statesmanship with which India has been familiar in the past".\*

Munshi had no illusions that his presentation of the facts about the Indian situation would yield the desired results. He

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\**Pilgrimage to Freedom* by K.M. Munshi, Volume I, pp. 394, 402.

was on friendly terms with the Aga Khan who pressed him to meet Jinnah and himself arranged for the two to come together. Much water had flowed under the bridges since the two men had worked together for their motherland's liberation under the banner of the Home Rule League. Jinnah had now become an entirely changed person and believed that he was the prophet of partition. In March 1940 he made the candid admission that the war and the Viceroy had pushed him up to the pinnacle of leadership.

So the meeting between Munshi and Jinnah on June 23, 1940 could not be fruitful. They could converse in Gujarati, the mother tongue of both, but the political idiom of the two was entirely different. While the one was a passionate believer in Akhand Hindustan, the other was equally convinced that only by its dismemberment could there be peace and settlement. Jinnah's initial cordiality towards his former colleague disappeared the moment he began to vindicate his political *volte face*. Arguing that partition alone would solve the Indian question, he maintained, like the British diehards, that the concept of Indian nationhood was a myth. Even under an extreme form of federal government, with the provinces enjoying complete autonomy, the Centre was bound to be dominated by the Hindus. In the matter of Defence, the relative representation of the two communities in the armed forces would provoke a conflict. The Princely States should be left alone. Once the sub-continent became self-governing, the British Government would not be able to retain its hold on the Princes whose principalities could either be absorbed or allowed to continue if they were large enough to sustain their own governments. Jinnah rejected Munshi's apprehension that any division of India on religious grounds would only worsen the relations between the two



communities, leading to their permanent estrangement and to a perpetual conflict, between the two independent countries.

It was perhaps his former friendship for Munshi which prompted Jinnah to complain that Mahatma Gandhi had “broken off negotiations” with him in the previous December and never cared to renew them, although he, the Mahatma, was prepared to meet the Viceroy any number of times. He asked: “Why should then Jinnah be treated as an untouchable? Merely because he holds the opinion that the Congress Governments had not treated minorities fairly”. Even if it was thought that he had committed the mistake of celebrating the anti-Congress day “that is no reason they should shun me”.\* Jinnah’s was a strange grievance. He did not believe in the decencies and the established norms of public debate. No person, except himself, was of eminence in his eyes.

The Viceroy’s declaration of August 8, 1940, promising Dominion Status to India on an unspecified date infuriated the Congress which launched “individual satyagraha” as a protest against British intransigence on the issue of the country’s independence. On October 17, Acharya Vinoba Bhave, the future Bhoodan leader and a staunch Gandhian, made an anti-war speech which ended in his arrest four days later. On October 31, Nehru was arrested and was vindictively awarded sixteen months’ imprisonment. The self-exile of Congress leaders delighted the communalists who made no bones about inciting their fanatical co-religionists to violence. Cities like Dacca, Ahmedabad and Bombay were convulsed with communal clashes, the outbreak in the last-named city being noteworthy for its unbridled savagery. Bombay, it must be

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\**Pilgrimage to Freedom* by K. M. Munshi, Volume I, pp. 402-403.

remembered, was the home town of the future founder of Pakistan.

Munshi noted that the aim of the new type of frenzy was to terrorise the majority community into acquiescing in the division of the country. He wrote: “Against this mounting onslaught of communal frenzy in the country directed towards the Hindus, the Congress, under Gandhiji’s leadership, could offer no protection, much less resistance. I boiled with rage at our impotence”.\*

The growing turbulence of the Muslim League forced Munshi to give serious thought to the whole concept of non-violence, the sheet-anchor of Gandhian philosophy. He had the greatest respect for Mahatma Gandhi. He wrote: “Every man who has met Gandhiji has felt that there is something nobler, greater in the man than in anything that he says or does. Every time I meet him, I find that he is bigger than his biggest deeds”. Even so, he found that it was impossible for him to owe absolute allegiance to the doctrine of non-violence, especially when violence and hatred were rife in the country. It was indeed impossible for him to abjure the use of force for self-defence. He maintained that resistance was the essence of individual and corporate growth. “If one did not resist,” he wrote, “one would become worse than a weed”. He was, however, not alone in holding such views. Leaders like Motilal Nehru, Jawaharlal Nehru, C.R. Das, Lala Lajpat Rai, Maulana Azad and Acharya Kriplani saw the obvious limitations of non-violence and refused to accept it as an immutable dogma.

Munshi’s Akhand Hindustan or United India front would have won popularity and would probably have developed into

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\**Pilgrimage to Freedom* by K. M. Munshi, Volume 1, p. 75.



a movement if the Mahatma had allowed him to go his own way. Sir Mirza Ismail, the popular Dewan of Mysore, who declined to walk into Jinnah's parlour, suggested to Munshi to replace the Sanskrit word "Akhand" by a suitable Urdu equivalent. While he was thus engaged in mobilising public opinion against communal politics, Mahadev Desai, Mahatma Gandhi's Secretary, issued a clarification which had a dampening effect on Munshi's movement. Desai said that Munshi had left the Congress because he had no faith in non-violence. Those Congressmen who had faith in non-violence, but found it impossible to implement it, should not leave the party. Munshi writes: "Suddenly, those who had promised to come out with me, accepted this explanation and stayed with the Congress. That is how I began my lone campaign for Akhand Hindustan". The political deadlock in the country deeply distressed all patriotic and right thinking Indians. Non-party leaders, distinguished for their intellectual abilities and devotion to their motherland, met in Bombay in March 1941 under the presidentship of Sir Tej Bahadur Sapru and put forward an eminently reasonable proposal to end the political stalemate, but it was unceremoniously rejected by L. S. Amery, Secretary of State for India. Mighty events in the Far East, leading to spectacular victories by Japanese over the Allied forces, compelled Whitehall to make a gesture of conciliation to India. Sir Stafford Crisp, Lord Privy Seal and Leader of the House of Commons, arrived in India on March 22, 1942, with British proposals to settle the Indian political question. Cripps was known as India's friend and well-wisher.

The British proposals, published on March 30, envisaged the elevation of India to the status of a Dominion and provided for the creation of a Constituent Assembly immediately after the war for framing a Dominion Constitution. Representatives of

Princely States would be entitled to participate in the deliberations of the constitution-making body. At the same time, every province would be at liberty not to accept the constitution, although the door could be kept open for its admission if it chose to come in later. The non-acceding provinces could frame their own instrument of government and secure for themselves the same status as the Indian Dominion. Like the provinces, the five hundred odd States could also decide to cherish their so-called independence in isolation. It would, however, be necessary to negotiate a revision of their treaties “so far as may be required in the new situation”. All these arrangements were to take effect only after the war. Clearly, the aim of the British scheme was not merely to satisfy nationalist opinion but also to conciliate the communalists and the conservative Princely Order. As Nehru put it, “the whole background would be of separatism and the real problems of the country, economic or political, would take secondary place”.\*

Nevertheless, the Congress entered into long drawn out negotiations with Cripps in the hope that a workable basis could be found for its resumption of the responsibilities of government. The points at issue were mainly two, namely, the extent to which the British Government was prepared to transfer the responsibility for the defence of India to an Indian member of the Viceroy’s Executive Council. Secondly it wanted to know whether the Indianised Viceroy’s Executive Council would be permitted to function like a full-fledged cabinet with the Governor-General strictly playing the part of a constitutional head. Cripps at first stated emphatically that “power would rest with the Council as it rests with the British Cabinet”. It was further contemplated to do

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\**The Discovery of India* by Jawaharlal Nehru, Signet Press, 1946, p. 550.



with the India Office in London from where the affairs of this country were being rigidly controlled. These heart warming assurances were given by the British Minister on March 29, but later he withdrew them under pressure from Whitehall.

Lord Listowell, the last Secretary of State for India writes: "I was disillusioned to find that the Labour representatives on the (India) Committee were so subservient to Churchill and that Attlee, as Chairman was never more than a muted echo of his master's voice". He adds: "Of they wanted to prevent the break up of the Coalition ment while the war was on, and what else mattered when our survival was at stake ?"\* Lord Wavell recorded in his Diary on July 27, 1943, thus: "He (PM) hates and everything to do with it, and as Amery said in a he pushed across to me, 'knows as much of the Indian blem as George III did of the American colonies?'" Any thought of freeing India drove this high priest of B imperialism into mad fury. Anthony Eden wrote thus his Memoirs: "Churchill said : 'What a calamity it would be to win the war and lose India'".\* The Cripps Mission was thus foredoomed to failure. President Roosevelt was unconvinced by the British Government's explanation for its failure. The President told Churchill that a settlement with India was still possible.#

The Congress had good reason to be dissatisfied with the British proposals but it should have accepted them for what they

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\* *The Whitehall Dimension of the Transfer of Power* by Listowell (*Indo-British Review*), Volume VII, Numbers 3 & 4 At the time this article was written, the author was survivor of those Ministers who served on the India of both the Churchill and Attlee Governments.

#Wavel: *The Viceroy's Journal* edited by Penderel Moon, p. 12

\**The Rt. Hon. The Earl of Avon, The Eden Memoirs: The Reekoning*, Cassell, p. 383.

# *Roosevelt and Hopkins* by Robert E. Sherwood, *A Bantom Giant*, 1950, pp. 108-109.

were worth by taking into consideration the prevailing situation in the country. Not all the Congressmen favoured the rejection of the British offer. C. Rajagopalachari advocated its acceptance. From the time the Pearl Harbour was attacked by the Japanese in December 1941, Munshi persistently pleaded for co-operating with the British in facing the new menace. In several statements in January 1942, he appealed for the combination of all parties in “a Government with plenary power at the Centre”. He pointed out that India preferred Britain, a European Power, to Japan, an Asian country, because it saw “in Britain’s victory alone the possibility of an honoured place for India in an international committee of free nations”. He strongly advocated the acceptance of the Cripps offer and presented his point of view at length before Mahatma Gandhi. “I made no impression on him”, Munshi wrote, “Gandhiji was slowly moving towards the *mahatmatic* stand of the apostle of non-violence and would not think of participation in the war.”\*\*

The “Quit India” movement launched by the Congress in August 1942 under Mahatma Gandhi’s leadership proved disastrous to India’s immemorial integrity. It cemented the alliance between the bureaucrats and the communalists. It was the twilight of the Raj and even hardened imperialists like Linlithgow and Reginald Maxwell—the latter called the Congress the “enemy”—were convinced that the fate of their empire in India was sealed. Since they were going, it mattered little to them what happened to this country after they left. They decided to win the gratitude of the communalists by giving support to their secessionist movement Jinnah and his men thus became the greatest beneficiaries of the August campaign. It was a busy time for Munshi. The Government promulgated a

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\*\**Pilgrimage to Freedom* by K.M. Munshi, Volume 1, pp. 78-79.



number of ordinances to suppress the popular uprising and to hold nationalist India in duress. Civil liberties were assailed and large number of arrested persons were denied the right of presenting *habeas corpus* writ petitions. Gathering around him a band of competent young lawyers, Munshi moved up and down the country defending the innocent persons. As we saw in chapter Three, he conducted, in the words of Justice J. N. Shelat, “a veritable crusade in defence of personal liberty and political rights”.

## VIII The Partition

### (i) Gandhi-Jinnah Talks

THERE WAS COUNTRYWIDE opposition to the plan for dividing India but it was never organised into a decisive movement. The Congress concentrated its efforts more on wresting power from the British than on devising measures to counter the Muslim League's separatist propaganda. The Hindu Mahasabha, the Nationalist Muslims, the Sikhs, the Liberals and several others expressed themselves strongly in favour of preserving India's geographical unity, but theirs was a voice in the wilderness. Munshi had thus to contend with tremendous difficulties when campaigning for Akhand Hindustan, but he never wavered in his resolve to save the country from the grim prospect of vivisection. He met a number of non-Muslim League leaders during his tour of the country and addressed many meetings to convey the message of India's immemorial territorial integrity. He explained: "Akhand Hindustan is not a political question nor is it a religious one. The unity and integrity of India is a vital necessity for the existence of all communities in this country".

Munshi was heartened by the evidence that the saner elements in the country belonging to all religions and regions were opposed to its division. During his visit to Ludhiana in the Punjab he spent a day with the scholarly Muslim, Mufti Moulvi Mahomed Naeem, who combined piety with learning. The



Mufti told Munshi that patriotism ran in the veins of the members of his family. “My father”, he said, “a great Moulvi, was a Congressman. He was one of the Ulemas who laid down, first in 1885, the *fatwa* that a Muslim can join the Congress and work out national redemption for India. I intend to die one day as a Congressman”. Taking Munshi with him to a nearby place, he addressed a public meeting when he said: “I am an Indian. I am a Mussalman. I cannot be asked to choose between the one or the other. Both have brought me into existence, and my loyalty to each is the source of my strength serving for both”.\*

Munshi also met a number of other leaders. When he was in Delhi, Dr. Shyama Prasad Mookerjee called on him and told him about the talks he had with Jinnah. The latter had told him that the Muslim League would support the demand for national freedom if the Hindus agreed to the partition of India in principle. Jinnah, however, insisted that his promise should be kept a close secret. Dr. Mookerjee was too seasoned a politician to walk into his trap. Apart from the fact that it was impossible for the Hindus to agree to India’s division, Jinnah’s plea for secrecy was of great significance. He knew that his influence with the government would collapse like a house of cards the moment he chose to make common cause with the nationalists. He was only making an adroit move to win Hindu approval to his separatist politics. In response to Savarkar’s invitation, Munshi addressed the Working Committee of the Hindu Mahasabha. He told that body that the communal riots provoked by the Muslim League to coerce the majority community into agreeing to India’s partition could be stopped only by organising an effective resistance which, he said, the

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\* *Akhand Hindustan* by K. M. Munshi, pp. 86, 87.

Congress, under Mahatma Gandhi's leadership, would not do. A leader with a command over the mass mind alone could transform such resistance into an irresistible movement. No such leadership, he pointed out, was in sight.\*

To rouse the civilized conscience of the world on India's continued subjection, Mahatma Gandhi went on a fast for twenty-one days from February 10, 1943. He was then seventy-three years old and there was a wide feeling that his feeble body would not survive the ordeal. Nine days after he had begun the fast, an All-Party Leaders' Conference pleaded with the Government to set the Mahatma free. In protest against the Government's obstinacy, three members of the Viceroy's Executive Council, namely, M. S. Aney, Sir Homi Mody and Nalini Ranjan Sarkar, resigned from their office. Much to the consternation of the imperialists, the Mahatma emerged unscathed from his terrible experience. In his report to President Roosevelt, William Phillips, the President's personal representative in India, presented a true picture of the state of India at that time. He saw "inertia, prostration, divided counsels and helplessness, with growing distrust and dislike for the British, and disappointment and disillusion with regard to Americans".

On March 3, 1943, some of the leaders met in Bombay to take stock of the situation. They included, Sir Tej Bahadur Sapru, M. R. Jayakar, C. Rajagopalachari, M. S. Aney and Munshi. The last named leader was requested to arrange for a full-fledged Conference of non-party leaders on March 9. Invitations were sent out to some thirty-five persons who had made their mark in various fields of national activity. After two days' deliberations, the assembled leaders resolved to request the Viceroy to permit some of them to meet Mahatma Gandhi

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 84.



as a step towards promoting the much-needed reconciliation between the Congress and the Government. Those who had met the Mahatma earlier had come away with the impression that he would gladly help in this process. Forwarding a copy of the resolution to the Viceroy's Secretary, Sir Glibert Laithwhite, Sapru said that a delegation of four leaders, namely, C. Rajagopalachari, G. D. Birla, Sir Ardeshir Dalal or Sir Purshottamdas Thakurdas and K. M. Munshi would like to meet the Viceroy. On receiving a favourable reply, Sapru asked Munshi to prepare a memo- randum to be presented to the Viceroy. Munshi's professional commitments prevented him from drafting the document at short notice. It was written by Rajagopalachari and was duly approved.

At the outset, the Memorandum requested the Viceroy to permit some of the non-party leaders to meet Mahatma Gandhi "to ascertain authoritatively his reactions to the events which have happened since his arrest and to explore with him avenues for reconciliation". If the Viceroy had any objections to their interviewing Gandhi, he should state them so that they might meet them. The members of the proposed delegation felt that the Mahatma had already expressed his disapproval of violence and sabotage. They were convinced that he would "cast his influence on the side of internal harmony and reconciliation". The Mahatma's good offices and guidance were necessary in resolving the various issues, including the Hindu-Muslim problem. If, by ignoring these facts, the Viceroy did not see his way to allow them to interview Gandhi, his refusal would be construed as "a determination on the part of Great Britain that there should be no attempt at a settlement of the problem and no reconciliation. between Nationalist India and Britain". The eminent leaders' plea fell on deaf ears.

When Linlithgow laid down his office on October 20, 1943, none felt more relieved than the nationalists. Nehru described him as a man with all the failings of an old-fashioned British aristocrat. The verdict of Sir Tej Bahadur Sapru, the much-esteemed liberal statesman, on the outgoing Viceroy was conclusive. He said: "Today, I say, after seven years of Lord Linlithgow's administration, the country is much more divided than it was when he came here". Churchill was faced with the problem of finding out a suitable incumbent to the vacant Viceroyalty. He wanted a man in New Delhi who would obey Whitehall's directives both in the letter and in the spirit. For sometime he toyed with the idea of sending out to India his most trusted junior colleague, Anthony Eden, saying that he alone could protect the glittering Indian jewel in the diadem of His Imperial Majesty. With Eden declining the offer with thanks, the Prime Minister overcame his dilemma by selecting General Wavell, former Commander-in-Chief of India, as Linlithgow's successor. Wavell was a great soldier with a touch of martial genius. He was well-disposed towards India but was helpless.

While the imperialists and the communalists were busy with their conspiracy, the miseries of the Mahatma under detention were mounting. Soon after his arrest in August 1942, his trusted Secretary, Mahadev Desai, who was perhaps far more devoted to him than Boswell was to Johnson, passed away. Two years later, on February 22, 1944, the Mahatma suffered another grievous bereavement by the death of his wife, Kasturba, a simple but lion-hearted woman who had been the staff of his life from his early years. In April, he himself was laid up with a severe malaria which made recovery most difficult. In these circumstances, it was impossible for the Government to persist



in holding him in duress. He was accordingly released unconditionally on May 6 on medical grounds.\*

Soon after his release Mahatma Gandhi asked Bhulabhai Desai, V. F. Taraporewala and Munshi to examine the question whether the authority conferred on him by the August 8, 1942, resolution of the All-India Congress Committee to “start a mass struggle on non-violent lines” still subsisted, apart from the legality or otherwise of the purpose for which the authority was given. The three legal experts held that the authority given to the Mahatma was intended to be exercised in the situation that existed then. He was arrested and was thus prevented from acting on the resolution. The experts concluded their note thus: “The authority conferred upon him was neither permanent nor recurring and there can be no question of its revival by the recent release of Gandhi ji in the present situation”.

The Mahatma, whose health was shattered, was convalescing at a nature cure clinic in Poona when Munshi met him. The latter had received an urgent letter from Sir Bakshi Tekchand, former Chief Justice of the Punjab High Court and leader of the Hindus in that province, asking whether Gandhi had endorsed C. Rajagopalachari’s formula for ending the estrangement between the Congress and the Muslim League on India’s constitutional future. Since the failure of the Cripps Mission, the Southern leader had been giving much attention to the problem of promoting a *rapprochement* between the two parties. He evolved a formula and, after getting it approved by the Congress members of the Madras Legislature, brought it before the All India Congress Committee on April 29, 1942. It was

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\* Wavell’s Journal dated July 5, 1944, reads : “Winston sent me a peevish telegram to ask why Gandhi hadn’t died yet!” (*Wavell: The Viceroy’s Diary* edited by Penderel Moon, p. 78).

rejected by that body. He was, however, not daunted by this rebuff and continued to canvass support for his prescription.

Rajagopalachari met Gandhi in June 1943 and showed his scheme to the Mahatma who was then detained in the Aga Khan Palace at Poona. Rajagopalachari was Munshi's guest at that time and on his return gave his host "the rather stunning information that Gandhiji had looked with favour upon his formula of Partition". Munshi drew up his own reactions to the C.R. scheme in the form of a statement which he sent to Gandhi for approval on the eve of the latter's meeting with Jinnah in September 1944. He pointed out that in the past the slogan of Hindu-Muslim unity was invented to win Swaraj; it was now being shouted to achieve independence and Pakistan. "Experience", he wrote, "has shown that concession wrung alternately from the Nationalists and the British has been one wave rolling after another towards a goal which is visible to all except those who do not wish to see". The champions of separation would not be satisfied with the creation of a new State based strictly on the Muslim majority areas. They would demand *lebensraum* in the predominantly Hindu districts. He could understand the Hindu and Muslim majority provinces coming together under a federal system, the federating units enjoying a considerable measure of autonomy, but a total secession was unthinkable. The Princely States would not endorse India's partition.

Munshi's statement called attention to lost opportunities. It said: "We had ministries; we flung them away. We had the certainty of federal unity under the Act of 1935; we spurned it. We had the Cripps' offer to fight our way to higher international status shoulder to shoulder; we laughed at it". It was no longer easy to resist the two-nation theory. The Mahatma's impending meeting with Jinnah would strengthen that theory. Gandhi, the



statement further said, had great faith in non-violence; he was a miracle-maker who believed that he could avert the country's disruption. Munshi confessed that he lacked that faith. In deference to the Mahatma's wishes, he did not go to the press to explain his opposition to the C.R formula. His statement remained unpublished. Jinnah, who received the C.R. formula in April, 1944, denounced it in unmeasured language.

Gandhi's proposed talks with Jinnah in September 1944 created countrywide interest. Munshi received a number of letters from many distinguished persons, expressing their concern over the possible outcome of the Gandhi-Jinnah meeting. Munshi wrote to the Mahatma apprising him of their views and of his own apprehensions about the September parleys. In his letter of August 9, he informed Gandhi that the Punjab Premier, Sir Khizr Hyat Khan's man met him to say that no commitments should be made with Jinnah about that province. He, the Premier, was not concerned with whatever transpired Gandhi did. The Governor, Sir Bertrand Glancy, Sir Mohammed Zafrullah Khan, later a Judge of the International Court of Justice, and Sir Sultan Ahmed, Member of the Viceroy's Executive Council, were on Sir Khizr's side. The Hindu Minister of Punjab, Sir Chhoturam, and many of his co-religionists were profoundly disturbed over the new developments. The Sikhs were also perturbed and the Alkali leader, Master Tara Singh, favoured Akhand Hindustan. Munshi told the Mahatma that Jinnah was holding "several secret negotiations".

Munshi took the opportunity of reiterating his conviction that India was indivisible. If, however, partition became inevitable, only the areas having Muslim majority in India should constitute themselves into separate units. In that event, the separation of non-Muslim districts in the Punjab and Bengal

would become inevitable. He was not sure whether the Mahatma's campaign for Hindu-Muslim unity, which had yielded no results for twenty-five years, would now be successful. Munshi wrote: "By supporting the Rajaji formula you have been able to prove your readiness to arrive at a communal settlement. Jinnah's ambition of 25 years to determine the future of India in partnership with you is fulfilled". In a note dictated to Munshi's son, Mahatma Gandhi said that the division of India was like poison to him besides being sinful. He did not see much wrong with the Rajagopalachari scheme. If there could be a separate treaty on Defence, Foreign Affairs and Communications, there was no harm in giving Jinnah the rest. "After all this", Gandhi said, "Pakistan seems to have no meaning". He thought that Jinnah, despite his selfishness and vanity, had complete faith in him. In addition to this note, Gandhi wrote to Munshi on August 12, calling his attention to the fact that he, the Mahatma, was the originator of the Congress principle of self-determination. He said: "A believer in non-violence, I can maintain the unity of India only if I accept the freedom of every part". He, however, thought that the Pakistan of Jinnah's conception was sinful. Two days later, Munshi conveyed to the Mahatma his conviction that his talks with Jinnah would not be fruitful.

The much-awaited talks between the two leaders began at the Bombay residence of Jinnah on September 9 and lasted for eighteen days. Jinnah stated his thesis in this unbridled language: "We maintain and hold that Muslims and Hindus are two different nations by any definition or test of a nation. We are a nation with our own distinctive culture and civilization, language and literature, art, architecture, names and nomenclature, sense of value and proposition, legal laws and moral codes, Customs and calendar, history and traditions, aptitudes and ambitions—



in short, we have our own distinctive outlook on life and of life. By all canons of international law we are a nation". Gandhi tersely dismissed this vehe-ment assertion with the remark: "I find no parallel in history for a body of converts and their descendants claiming to be a nation apart from the parent stock". If Jinnah had held the views he now so strongly expressed twenty or thirty years before, it stands to reason that he would not have risen to eminence either as a politician or as a lawyer. He built up his practice and reputation as an advocate almost entirely by handling cases involving the interpretation of Hindu Law. His belated discovery that he belonged to a different nation and that he was not an Indian at all could only be attributed to hurt pride and overweening personal ambition.

The Gandhi-Jinnah talks failed. Thenceforward the Muslim masses began to look upon Jinnah as their Messiah. Many leaders deplored the Mahatma's going to the implacable opponent of Indian nationalism. Maulana Azad regretted his calling Jinnah "Quid-i-Azam" or great leader. He was convinced that Gandhi was wrong in opening correspondence with the League leader and going to Bombay to meet him. Sardar Patel was equally unhappy about it. Munshi was, of course, opposed to the Gandhian move. He knew that Jinnah was "inflexible in his objective".

### (ii) **The Holocaust**

At that time Jinnah had not yet reached the summit of his negative power. His hold over the areas claimed as part of Pakistan was still tenuous. It is true that he was popular among the Muslims of the Hindu-majority provinces, but this fact in no way advanced the cause of partition. Till Gandhi held his September parleys with him, the concept of Pakistan mostly figured in platform oratory, in poetic imagination and in ill-informed and grossly partisan political literature. From then on,

however, the situation began to change rapidly, making any rational solution of the constitutional problem almost impossible. Sir Tej Bahadur Sapru and his Liberal colleagues, however, refused to surrender to despair. In October 1944, Sapru drew Gandhi's attention to the growing talk about the country drifting towards a civil war. To avert such a tragedy, he and his colleagues formed a Conciliation Committee in December to recommend an equitable settlement of the political problem. The Committee's suggestions were most constructive but they were rejected by Jinnah out of hand.

The Viceroy, Lord Wavell, was convinced that a prolonged political stalemate would not do any good to India. He had hoped that the Bombay talks between Gandhi and Jinnah would yield some results. "The two great mountains", he wrote, "have met and not even a ridiculous mouse has emerged". He waited for the non-party leaders' deliberations before making his own move. Their denunciation by Jinnah and Amery rendered them ineffective. At his instance, Bhulabhai Desai, leader of the Congress Party in the Central Legislature, opened negotiations with Nawabzada Liaquat Ali Khan, Deputy Leader of the Muslim League in that Legislature, to promote a political understanding on the formation of an interim government. The two leaders entered into a pact, according to which Jinnah and Desai should be invited to form the government. Bhulabhai Desai showed Munshi the draft agreement initiated by Liaquat Ali Khan. Gandhi also saw it and "made a cryptic remark which Bhulabhai construed as authorising him to go ahead". Both Jinnah and his lieutenant later disowned the agreement, the one saying that he knew nothing about it and the other asserting that whatever he had said about the move was based on his "personal view". Commenting on this episode, Munshi who, as we saw in an earlier chapter, was close to Desai, wrote: "Bhulabhai had a lively sense of his own infallibility and a low



opinion of most of the top Congress leaders. He was naturally very anxious to solve the political impasse in the country and walked into the trap laid by his friend, Liaquat Ali". Desai failed to take the precautions suggested by the Mahatma. The omission angered Gandhi and Congress leadership and brought about his political downfall. His name was not included in the list of Congress members for the interim government suggested at the Simla Conference of June 1945. In August both Bhulabhai Desai and Munshi were staying at Birla House in New Delhi in connection with the trial of the ex-members of the Indian National Army at the Red Fort. Desai's defence of the I.N.A. prisoners was superb and, as Munshi put it, "his reputation as a lawyer rose sky-high". But the brilliant lawyer and parliamentarian was a dying man. In his last days, he bitterly complained to Munshi that he had been betrayed. "Thus ended", writes Munshi, "the career of a man of unparalleled intelligence and uncanny subtlety. I never could forget that I learned the art of advocacy at his feet".\*

After consultations with the British Government, the Viceroy announced on June 14, 1945, proposals for easing "the present political situation and to advance India towards her goal of full self-government". The Wavell Plan, as it is called, envisaged the complete Indianisation of the Viceroy's Executive Council except the office of the Viceroy himself and of the Commander-in-Chief. The external affairs, so far held by the Viceroy, would also be put in charge of an Indian member. The changes would be within the framework of the Act of 1935 but there would be a substantial devolution of authority to Indians. As in the Dominions, a British High Commissioner would be appointed to look after Britain's commercial and other interests

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 95. Bhulabhai Desai called him "Munshi Kaka".

in this country. If there was a favourable reception to the proposals, democratic administration would be restored in the former Congress provinces. A conference would be held at Simla on June 25 to achieve these results. To facilitate a thorough public debate on the offer, Congress leaders were released from detention on June 15. The more important ones among them also get ready to take part in the Simla deliberations. The Simla Conference was foredoomed to failure since Jinnah insisted on demanding his pound of flesh.

At the end of the war in Europe, Britain went to the polls and returned Labour to power in July 1945 with Clement Attlee as Prime Minister. L. S. Amery, an implacable foe of Indian freedom and an ace fomentor of Indian dissensions, was replaced by Lord Pethick Lawrence at the India Office. Attlee was not an enthusiastic supporter of Indian independence but he was a great realist who realised that a battered Britain's post-war garrison responsibilities in India would be unbearable. The new Secretary of State was a friend of India and an admirer of Mahatma Gandhi. After consultations with the new Ministry, the Viceroy announced on September 19 that steps would be taken to hasten India's attainment of self-government. A Constituent Assembly would be brought into existence so that Indians might frame their own constitution. General elections would be held in the country during the cold weather to facilitate the creation of such a body.

The elections of 1945-46 clinched the issue of India's partition. The Muslim League conducted the electoral campaign with the zest of a *jihad* or religious war. Jinnah said: "If the Muslim verdict is against Pakistan, I will stand down". Besides making a free use of strong-arm methods, heady slogans like "Islam in danger" and "Pakistan Zindabad" were shouted as part of the party's electoral strategy. Professor Brecher has



called attention to the fanatical fervour that marked the League's methods for winning Muslim votes\*.

The Muslim League's electoral victory caused deep concern to the nationalists all over the country. Sir Tej Bahadur Sapru wrote to Munshi on January 16, 1946, saying that Jinnah was most unlikely to join the Constituent Assembly. He observed: "What is to happen then is the real question which ought to engage your attention and that of the other leaders". Earlier, on the 5th of the same month, a British Parliamentary Delegation came to India to study the political situation. Its leader, Professor Robert Richards, who met Nehru, was impressed with his statement of the Congress case with moderation and without rancour. Jinnah told the Delegation that he would refuse to have anything to do with any interim government that did not give his party parity with all the other parties, an obvious improvement on his demand at the Simla Conference. Similarly, the partition of India and the setting up of two constitution-making bodies must be conceded if the League's co-operation in any temporary arrangement was desired.

By now the Labour Government had become fully aware of the gravity of the Indian situation. It, therefore, decided to cut the Gordian knot. A Cabinet Mission, consisting of Lord Pethick-Lawrence, Secretary of State, Sir Stafford Cripps, President of the Board of Trade, and A.V. Alexander, first Lord of the Admiralty, arrived in India on March 24, 1946, and after extensive consultations, published their scheme on May 16 for settling the Indian problem. It was essentially a compromise proposal designed to please both the nationalists

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\* *Nehru's A Political Biography* by Michael Brecher, Oxford, 1959, p. 304.

and the separatists. The May offer envisaged an Indian Union, endowed with all the three organs of government. Its constituents would consist of the eleven British Indian provinces and the numerous Princely States. The jurisdiction of the principal government would be limited to defence, foreign affairs and communications. The provinces were proposed to be divided into A, B and C sections. The first section was to consist of Hindu-majority provinces while the second would include the Punjab, Sind and the North-West Frontier Province. The last section would comprise Bengal and Assam.

The scheme was rejected by both the Congress and the Muslim League, though for different reasons. Munshi's reactions to it were confided in his diary thus: "If it is implemented India will be cut up into four: one Hindu, two Muslim and one Princely. The Centre is bound to be weak. The Hindus of Bengal and Assam will be crushed; the malignant spirit of zonal division of India, invoked by Professor Coupland, will stalk the land." After strenuous efforts, Wavell succeeded in bringing the two principal parties into his Executive Council. While the Congress under Nehru's leadership joined it on September 2, 1946, the League did likewise on October 15, but not before plunging large parts of the country into fratricidal conflict by its "direct action". The great Calcutta killing on August 16 has gone down in history as one of the most gruesome episodes in the pre-partition period. The London Conference in December, attended by Wavell and the representatives of the two Indian parties, proved utterly futile, forcing the Labour government to use its own initiative in grasping the Indian nettle. Attlee and Cripps felt that a change of Viceroyalty had become imperative and replaced Wavell by Mountbatten.

Admiral Mountbatten, who took charge of the Indian government on March 24, 1947, was a dynamic sailor-statesman who was then in the full tide of his manhood. He had asked for



and was given plenipotentiary powers to deal with the Indian situation. Such a free hand had been demanded before by Curzon and Minto but it was firmly rejected on the ground that it was against the letter and the spirit of the law and the constitution. But then Mountbatten's Viceroyalty was an extraordinary one, his task being to perform the historic task of winding up nearly the two-hundred year old British Raj in India. The situation in the country decided him to take decisive and urgent action as the only means of saving the sub-continent from plunging into a terrible anarchy.

He had prepared a partition plan with the assistance of Lord Ismay, a highly competent and influential person who had accompanied him to India to assist in the momentous withdrawal exercise. V. P. Menon, Constitutional Adviser to the Government of India, who saw it, strongly reacted against it since its implementation would have broken up India like the Moghul Empire. He produced an alternative scheme based on the country's division and secured Sardar Patel's powerful support to it. When Munshi expressed to the Sardar his surprise at his consent to India's partition, the latter said that it had become inevitable. Munshi, who knew Menon well, paid a warm tribute to his services to the country. He wrote: "He (Menon) rendered unique service to the country, not only by integrating India under Sardar's leadership, but earlier by saving the country from the catastrophe which would have certainly overtaken India had he not intervened to blow up the Ismay Plan".

Mountbatten's revised scheme, based on Menon's suggestions and endorsed by the Attlee Government, was published on June 3. It provided for India's partition, but the territories of the seceding State would be strictly limited to the Muslim majority areas. The non-Muslim legislators of Punjab and Bengal, sitting separately, decided that the districts commanding the majority of their co-religionists should be

joined to India. On the same principle, Sylhet was detached from Assam and given to East Pakistan. A Boundary Commission under the Chairmanship of Sir Cyril Radcliffe, was appointed to demarcate the Indo-Pakistan borders. Since the Hindu and Muslim members of the mission could not agree, Sir Cyril's findings became an Award. Many surprises were in store for the Hindus and Sikhs of the Punjab when the Award was published on August 17. The loss of Lahore was a great blow to them.

The massacres and migrations that preceded and followed India's partition were on an unparalleled scale. The partition riots are claimed to have taken the toll of some two lakh lives while ten million people were uprooted from their ancestral homes to take shelter in far away places, most of them with no means of livelihood. Such tremendous suffering and sacrifice was imposed on the Indians because, till the last days of their withdrawal, the British never considered the transfer of power as a simple and inevitable act of justice. They had laid this country under a deep debt of gratitude by rescuing it from chaos, by giving it a strong and stable government based on the rule of law, and by bringing to the doorstep of its people Western science and enlightenment, including Western democratic institutions. Had they withdrawn from India in good time by honouring their own commitments, they would have won an abiding place in world history as great liberators. They did not leave when the going was good because they looked upon her as their milch cow. Munshi commented on the economic consequences of British rule, thus: "Today, after a century and a half of British rule, we are poor, underfed, illiterate. backward in all respects where Government help was necessary, thwarted in all matters where no such help was needed. This is neither mere logic nor rhetoric; it is the testimony of facts mostly found



by Britishers.” He concluded that Britain’s rule was a cold-blooded rule”\*.

August 15, 1947, was a great day for India. It marked the end of an era and the beginning of a new one. In the country’s capital, the advent of independence was celebrated at midnight on August 15 with great solemnity. The hall of the Constituent Assembly was brilliantly lit and decorated. Munshi, a member of the constitution-making body, sat in the second row along with the well-known Maharashtra leader, Shankarrao Deo, just behind Sardar Patel. Like his colleagues, Munshi took the solemn oath to dedicate himself “in all humility to the service of India and her people to the end that this ancient land attain her rightful place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind”. It was on this occasion that Nehru, free India’s first Prime Minister, made a memorable speech. He said: “Long years ago we made a tryst with Destiny, and now the time comes when we shall redeem our pledge..... At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance”.

Munshi, who had dreamed of freedom from his boyhood and continuously wrote stirring patriotic literature, was aglow with excitement on that great day. He confided his feelings to his diary. He wrote : “Independence came sooner than I had dreamt of; more like the end of an inartistically woven plot abruptly, almost inconsequentially”. He wrote these melancholy words because freedom came by shattering his dream of

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\* *The Ruin that Britain Wrought* by K. M. Munshi, Bharatiya Vidya Bhavan, 1946, pp. 2, 8.

Akhand Hindustan. Nevertheless, what happened on August 15 was “a great thing in the history of mankind.” It also marked the end of the Gandhian age and the beginning of the Nehru era. Munshi’s attachment to Sardar Patel was second only to his devotion to the Mahatma. He wrote: “Independence has also given a tremendous opportunity to Sardar. He is made of the stern stuff of which Bismarck was made. His alert mind, his uncanny insight into human weaknesses and his great gift for organisation have found scope and fulfilment in the Free India unlimited of today”\*. Munshi also found in free India unlimited opportunities for exercising his own considerable talents in the service of his motherland.

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume I, pp. 136, 141.



## IX

# Princely India

WITH THE PARTITION OF INDIA, involving the loss of 364,737 square miles of territory, the country's tribulations did not end. The existence of over five hundred principalities of varying sizes and in differing stages of development and the pretensions and ambitions of their rulers posed a further threat to the country's integrity. Professor Coupland correctly described the position thus : "India could live if its Moslem limbs in the north-west and north-east were amputated, but could it live without its midriff?"\*. Sir Archibald Nye, former Governor of Madras and Britain's first High Commissioner in free India, expressed similar concern about the gravity of the states' problem. He doubted the feasibility of any friendly settlement with the Princes and "visualised trouble of incalculable dimensions after the 15th August". Britain's earlier commitments to the rulers to meet the exigencies of the Indian political situation and their reiteration at the time of her withdrawal encouraged the Princely Order into believing that the accession of the States to free India depended entirely upon the volition of individual rulers. Had this view prevailed, the Balkanisation of an already truncated country would have been accomplished with all its terrible consequences. There would indeed have been no India at all.

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\* *India: A Restatement* by Sir Reginald Coupland, Oxford, 1945, p. 278.

Munshi was aware of the seriousness of the states' problem. He had his education in Baroda, one of the best-governed principalities. He evinced wholesome respect for Maharaja Sayajirao Gaekwad who was not only forward-looking but was endowed with great political sagacity. The Maharaja was convinced that in a well-regulated polity there was no place for a Princely Order whose survival depended entirely upon the continued domination of his motherland by a foreign power. He confided to the Aga Khan thus: "The first thing you'll have to do when the British are gone, is to get rid of all these rubbish states. I tell you, there'll never be an Indian nation until the so-called Princely Order disappears. Its disappearance will be the best thing that can happen to India, the best possible thing"\* . Baroda was among the five big principalities with an administration that was one lap ahead of its counterpart in British India in some respects. And yet its ruler was prepared to impose an unparalleled self-denying ordinance upon himself and dynasty. A keen student of affairs, Munshi had also the opportunity of observing how the rulers of the Kathiawad States comported themselves. Now known as Saurashtra, Kathiawad was a veritable museum of principalities before independence.

Like most of the nationalists in British India, Munshi watched the happenings in the princely states almost till the end of the nineteen thirties with no intention of taking direct interest in them. Although the Motilal Nehru Committee, 1928, vehemently refuted the charge that Congress interest in "Indian India" was fitful, there is no doubt that no sustained efforts were made to rescue the ninety-three million people there from capricious rule. In fact, some British Indian politicians felt that, however bad the

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\* *The Memoirs of Aga Khan*, pp. 301-302.



administration in the states, they should not be viewed severely because they symbolised Swaraj or self-rule. Perhaps, it is for this reason that only faint voices were raised during the British period for the abolition of the states.

The states, with their population of over 93 million, covered an area of 715,964 square miles or nearly twice the size of Pakistan before the secession of its eastern wing in 1971 and the birth of Bangladesh. Great skill and statesmanship were needed to pull them out of medieval conditions and to expose them to the wind of change. It was impossible to give even a single rational explanation for their continued existence under British paramountcy. India is certainly a country of continental size, but to have allowed as many as five hundred odd principalities of bewildering diversity to survive the tide of British conquest was the gravest reproach to all canons of territorial demarcation.

The great rebellion of 1857 marked the turning-point in the relations between the British Raj and its feudatories. Many leading princes rushed to the aid of the foreign Government in the hour of its direct need, their steadfast loyalty serving as an eye-opener to it. The crucial role played by the princes during that period is exemplified by the observation: "If the Nizam goes, all goes". Of course, the Nizam did not go and, as a writer, Sir Sidney Low, gratefully acknowledged, the British Raj was saved. Out of the discovery of the value of the Princely Order was born the dictum: "Once a State always a State". The policy of annexation was abandoned for good. Thenceforward princes guilty of gross misrule were punished individually while their states were spared.

The emerging relations between the princes and their foreign protectors were well described by Professor Westlake.

He wrote: “There is good reason to believe that both by them and us a comradeship in difficulty and danger is indeed felt, such a comradeship as engages the strenuous and loyal exertions of a ship’s crew under the categorical imperative of the Captain”\*. The strange partnership between the two was solely governed by the consideration of survival. The mounting pressure of nationalism, especially after the first world war, forced them into such a preposterous relationship. Though pampered, the princes were not allowed to forget their subordinate status.

Responding to their plea in May 1927 for an expert investigation into the relationship between their states and the paramount power, the Government appointed a Committee under the Chairmanship of Sir Harcourt Butler to report on the issue. They engaged Sir Leslie Scott and many other British legal luminaries at a staggering cost to advocate their case. The princes’ counsel argued with complete indifference to historical facts that their principalities had enjoyed sovereignty before they accepted British paramountcy. They also maintained with equal contempt for realities that their relations were with the Crown of England and not with the Government of India for the time being. The Butler Committee categorically rejected the suggestion that the British Government’s relations with the states were based on the doctrine of limited liability and declared with absolute finality that “paramountcy must always remain paramount”. It, however, recorded its “strong opinion” that “in view of the historical nature of the relationship between the Paramount Power and the Princes, the latter should not be transferred without their agreement to a relationship with a new government in British India responsible to an Indian legislature”. The Government readily

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\* *Collected Papers on International Law* by Westlake, edited by professor Oppenheim, p. 632.



accepted these recommendations and thus created a grave problem for the rulers of free India in dealing with the question of princely states.

Although the princes signally failed to secure any modification of their subordination to British suzerainty, they were delighted at the assurance that they and their dynasties could depend for their security and permanence on the support of the powerful British Raj. This had a disastrous effect on the quality of the states' administration, in many of which it became a nightmare. Some of the princes, aided by their advisers, asserted that they were not free to allow their subjects a share in the government of their states without the express consent of the paramount power. Authoritative clarifications from Whitehall that no such permission was necessary for the introduction of enlightened administration fell on deaf ears.

To the surprise of most people, in 1938-39, Mahatma Gandhi and Sardar Patel intervened in the petty state of Rajkot in Saurashtra in defence of the civic rights of its people. The young Thakore Saheb was a virtual puppet in the tyrannical hands of Darbar Virawala, the Dewan. Munshi, who closely watched the developments in the state, wrote that "the British Indian authorities mobilized the zamindars and the leading Muslims of Rajkot to stage a demonstration against Gandhiji." To quell the opposition of the Thakore Saheb to reforms, Gandhi went on a fast on February 4, 1939, which led to Viceregal intervention. The Chief Justice of the Federal Court of India, Sir Maurice Gwyer, whose legal opinion was sought, gave his verdict in favour of Gandhi and the Sardar. With his characteristic unpredictability, the Mahatma renounced the gains of the judicial decision on the ground that his fast was "tainted with *himsa*".

All this time, the Viceroy, Lord Linlithgow, was intensifying his efforts to draw the states into the federal scheme. He had set his heart on this project because, as a fervent believer in the British mission in India, he was convinced that, with a federal structure consisting of a congeries of mutually-incompatible elements, Whitehall's hegemony in the country would last as long as one could foresee. The admission of the states into the federation, with their sizable representation in the bicameral legislature at the Centre, was imperative in his scheme of things. The princes' repugnance for an all-India polity and the outbreak of the Second World War in September forced him to abandon his favourite project.

For some years before these happenings, things had begun to move even in the unchanging states. In a number of them, the Praja Mandals had become better organised and more and more assertive. Munshi found that his professional advice was increasingly in request by the States' and their rulers. As we saw in an earlier chapter, he went to Ratlam, a medium-sized State in Central India, now Madhya Bharat, to defend seven or eight persons, including a doctor and a lawyer, who had been tried and sentenced to long terms of imprisonment. Among other things, they were accused of "attempting to overthrow the lawfully established Government of His Highness Maharaja Sajjan Singh of Ratlam. The Praja Mandal in the State was practically dead and no local lawyer ventured to defend the accused. In the middle of December 1941, Mahatma Gandhi asked Munshi to go to the State and appear for the accused in the criminal appeal. The Mahatma wrote to him thus: "By advocacy you can only achieve what is possible, but by your going there, the poor prisoners will find some comfort. Meet the officers there and spread the cult of mercy even by going out of your (professional) field". What transpired



Munshi and the powerful Defence Minister of the state Shivjibhai, and how by eating a single *kachauri* as the letter's guest, the Bombay lawyer could win the case has been narrated in chapter Three.

Despite the failure of the Cripps Mission, it became evident even to the most conservative and uninstructed princes that Britain's withdrawal from India sooner than later was inevitable. A number of rulers began to give serious thought to their future. Many favoured union of States, wherever such an arrangement was possible. Munshi, who went to Udaipur, an ancient and historically important principality in Rajasthan, to preside over the Hindi Sahitya Sammelan, had the opportunity of meeting the Maharana and several Rajasthan rulers. He told Maharana Bhupal Singh, with whom he had friendly relations, that it would be in the fitness of things if a Hindi university could be established at Chitod, the scene of memorable battles. The ruler was a traditionalist *par excellence*. The Brahmins paid no land revenue in his State. In November 1945, he invited Munshi to be a member of the Final Court of Appeal. Munshi's association with the State continued till the formation of the United State of Rajasthan and its inauguration in March 1948.

As the realm of Maharana Pratap, Udaipur or Mewad stirred the historically minded Munshi to his very depths. He was prepared to go to any reasonable length to help the Maharana in safeguarding the interests of his ancient House. He told the Maharana, who loved his people dearly, that great things were going to happen soon, both in British India and in the Princely States. On April 23, 1947, he advised the ruler to send a representative from his state to the Indian Constituent Assembly which had been brought into existence on December 9, 1946. Munshi wrote: "From now to June, there is going to

be a tremendous upheaval in the country. Men as well as capital are trying to find out some well-protected Indian states where they can find an asylum during the coming turbulent times". He gave similar advice to other Rajasthani rulers to participate in the constitution-making deliberations in New Delhi and to weld their various states into a single, strong and viable administrative unit. He kept Nehru and Sardar Patel fully informed about what he was doing in the states. His effort to modernise Mewad's government, however, yielded poor results. He wrote ruefully : "I tried to perform, with obsessional vigour, the task of vitalizing the important departments of the state which were just functioning because, having lived so long, they did not know how to die". Many rulers in other parts of the country consulted Munshi on two issues vital to them, namely, protection for their personal properties and their place in India's future set up. His invariable advice to them was that they should promptly send their representatives to Constituent Assembly.

The advent of labour to power in England at the end of the war in Europe further strengthened the Indian belief that British withdrawal from this country was certain. The most decisive proof of this was given by the visit of three senior British Cabinet Ministers to this country in 1946 to discuss the modalities for the transfer of power. On May 12, the Cabinet Mission presented to the Chancellor of the Chamber of Princes a Memorandum about the states. The document pointed out to the princes that when the contemplated transfer of power to Indians took place, Whitehall would have no influence over the successor Government or Governments and that it would be impossible for it to station British troops on Indian soil in order to protect them. In such circumstances, the British Government would cease to exercise the powers of paramountcy over them. "This means", the Memorandum explained, "that the rights of the states which flow from their relationship to the Crown will



no longer exist and that all the rights surrendered by states to the Paramount Power will return to the states". The British Government, which had all the time firmly rejected the Princes' doctrine of pre-existing sovereignty, now conceded it implicitly, thus gravely endangering India's territorial integrity. It was as though one division of the country to accommodate Pakistan was not enough.

In another statement, both the Cabinet Delegation and the Viceroy reiterated the thesis that "paramountcy can neither be retained by the British Crown nor transferred to the new Government". In pursuance of this policy, the Indian Independence Act, 1947, provided for the abrogation of the British Crown's suzerainty over the princes. The princes were delighted at the turn of the events in their favour. On January 29, 1947, the Chamber of Princes declared that the entry of the states into the Indian Union would be through negotiation and that "final decision shall rest with each state". The Nawab of Bhopal, who held the key position of Chancellor of the Chamber of Princes, told Lord Mountbatten, the new Viceroy, that he "abhorred" the Congress and that he would have "nothing to do with a Congress- Dominated India"\*.

The certainty of India's partition gave a tremendous fillip to his disruptive activities. He tried to rope in the Maharajas of Jodhpur, Indore and Udaipur to secure geographical contiguity for his State so that he could commit its destiny to the care of Pakistan. The Maharana rejected the unpatriotic scheme with disdain. In words worthy of the scion of Ranas Sanga and Pratap, he said: "My choice was made by my ancestors. If they

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\* *The Last Days of the British Raj* by Leonard Mosley, Weidenfeld and Nicolson, 1961, p. 177.

had faltered, they would have left us a kingdom as large as Hyderabad. They did not; neither shall I. I am with India”#.

The services of constitutional experts were sought by the princes to prepare schemes for the Union of States. While Dr. M. R. Jayakar advised the Princes of the Deccan States on how best they could come together, the task of preparing a detailed constitution for this purpose fell on Munshi. There were eighteen principalities in the Deccan, the biggest of them being Kolhapur with an area of 3,219 square miles, a population of 1,092,046 and a revenue of Rs. 52,03,000. The smallest State, ruled by a Nawab, was Savnur, which was barely 70 square miles in size. Even smaller than it was Wadi, an estate. A combination of the eighteen states would, however, have transformed them into a sizeable administrative unit with the necessary resources to cater to the social and economic progress of their people. Their combined strength in area, population and revenue would have been 10,870 square miles, 2,785,428 people and Rs.1,42,23,000\*\*. Many of the rulers of these states had liberal education and were forward-looking. On July 28, 1946, some of them met Mahatma Gandhi for his blessings to their project. He advised them to meet Nehru who welcomed their idea. He, however, asked them to introduce political reforms in their respective states. They did not relish the suggestion since they felt that they would be at the mercy of the Praja Mandals once power was transferred. They formed themselves into the Deccan States' Union Organisation and invited Munshi to be their Constitutional Adviser.

After holding discussions with some of the knowledgeable rulers and their advisers, Munshi prepared a Covenant for the

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# *Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 163.

\*\**The Future of Indian States* by V. B. Kulkarni, Thacker, 1944, pp. 86-87.



proposed Union of the Deccan States. The United State was to be called Samyukta Dakshina Rajya or the United Deccan States. The Preamble to the Covenant ran thus : “The Rulers of the ratifying States stressed the need to form a single State with a unitary Government, which would take its place as a unit in the Union of India. The Rulers’ rights, privileges and authorities were to be suitably adjusted so as to lead to the formation of a united executive authority, common legislature, common judiciary and common customs and boundaries which would secure constitutional freedom to the people of the State to be so formed\*.

Events were, however, moving fast. On July 5, 1947, Sardar Patel took charge of the States Department of the Government of India and set in motion changes in the Princely States, the revolutionary significance of which was unparalleled in India’s history. All the Deccan States, except Kolhapur, merged their separate identity into the adjoining districts of the Bombay Province by agreements signed on February 19, 1948. In doing so, they followed the example of the Orissa and Chhatisgarh States, which had agreed in December 1947 to be absorbed into the adjoining districts. On February 1, 1949, Kolhapur, which had kept aloof from the rest of the Deccan States, was taken by the Bombay Government. A noteworthy feature of the Covenant for the Union of the Deccan States is that such a far-reaching project was conceived well before Sardar Patel and his able and resourceful Secretary, V. P. Menon, had formulated their policy of integration.

The Sardar’s friendliness, his sincerity and his determination to be fair and considerate to them, appealed to most of the

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\* Pilgrimage to Freedom by K. M. Munshi, Volume I, pp. 154-56, 466-77.

princes. They felt confident that their interests would be safe in his hands. In V. P. Menon, he had a lieutenant who was admirably equipped to assist him in hastening a bloodless revolution in the country. Even before the Sardar's famous appeal was made, the representatives of Baroda, Cochin, Jaipur, Jodhpur, Bikaner, Patiala and Rewa had taken their seats in the Constituent Assembly. They had done so on April 28, 1947. By August 15 all the States, except Hyderabad, Junagadh and Kashmir, had signed the Instruments of Accession and Standstill Agreements, the latter intended to maintain the *status quo* till permanent arrangements could be made to regulate the relations between the states and the Indian Government. Despite his rashness and extravagance, the Maharaja of Baroda was the first ruler to sign the Instrument of Accession. The rulers of Bikaner and Patiala played a great part in frustrating the evil designs of the saboteurs of Indian unity.

From accession to integration was the next logical step. A large number of petty principalities, whose continued existence was a reproach to all canons of territorial demarcation, were mercifully dissolved into the adjoining districts. This great mopping up operation, covering 216 states with an area of 108,739 square miles, was initiated in the feudatory states of Orissa and Chhatisgarh and was extended to other parts of the country. As the dissolution of the principalities gathered momentum, it became difficult to distinguish between big and small states. Appreciating the need for the integration of their states, the rulers of Rewa, Indore, Gwalior and Patiala offered to pass a self-denying ordinance upon themselves. The Jam Saheb of Nawanagar proved a tower of strength to the Sardar.

A large number of the remaining states were welded together to form themselves into six Unions. The leader and first model for such amalgamated principalities was the United



States of Saurashtra which absorbed as many as 222 states and estates of Kathiawad. The other United states of this kind were Vindhya Pradesh, Greater Rajasthan, Madhya Bharat, Patiala and East Punjab states and Travancore-Cochin. Mysore was not united with the rest of India until a countrywide administrative reorganisation took place in later years. When the Rajasthan Union was created, the Maharaja of Jaipur became the Rajpramukh. An able and forward-looking ruler, he fully deserved this honour, but Munshi's "sense of history was outraged by the descendant of Rana Pratap, the Maharana of Udaipur, being placed below the descendant of Maharaja Bhagwandas of Jaipur". He spoke to the Sardar about this "historic wrong" and pleaded for rectifying it. The Sardar readily responded to his plea and designated the Maharana as "Maharaj Pramukh"\*

Junagadh, like Hyderabad, refused to make common cause with India. Situated in Saurashtra, 82 per cent of its population was Hindu. "From time immemorial", writes Munshi, "Lord Somnath was the guardian deity of the people; Prabhasa, Girnar and Junagadh were associated with the sacred memory of Sri Krishna, venerated by the Hindus, over the country. Junagadh again, was the home of Raja Khengar and his Queen Ranak Devi -- symbols of heroism enshrined in song and story in Western India". Historical accident had brought this State under the rule of a Muslim dynasty. The ruler at this time, Sir Mohabat Khan Rasulkhanji, was an eccentric of rare vintage. To him kennels and harem were more important than anything else. He had united two dogs in unholy wedlock at a staggering expense to the State and had declared a public holiday on that occasion. There was no geographical contiguity between his

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 163.

State and Pakistan except by sea and air and yet, by responding to Jinnah's suggestion, he secretly committed the destiny of an essentially Indian territory to the fanatical care of Pakistan before August 15, 1947. At first, he was inclined to remain with India, but the machinations of Jinnah and his newly-appointed Dewan, Sir Shah Nawaj Bhutto, a Muslim Leaguer from Karachi and the parent of the ill-fated Zulfikar Ali Bhutto\* caused him to change his mind.

Retribution overtook the Nawab swiftly. The Kathiawar Political Conference challenged the accession of the State to the wrong Dominion. A provisional Government was set up to dislodge the unwanted ruler. The draft of the declaration about its formation was prepared by Munshi. Large numbers of young men from all over Saurashtra came together to assist the new Government in its task of liberating the State. The approach of the volunteers frightened the Nawab who precipitately fled to Karachi, not forgetting to carry with him his jewels, and a surfeit of dogs and wives. The issue of the State's accession was referred to its people who voted overwhelmingly in favour of remaining with India—190,779 for and 91 against. Bhutto, who also ran away, resigned the fate of the State to the care of Harvey Jones who promptly delivered its administration to the Indian Regional Commissioner.

It was Sardar Patel's sagacious leadership and the patriotism of a large number of princes which made the solution of the intractable problem of the States' integration with India possible. The Russian leader, Khrushchev, was astonished that such a mighty undertaking was accomplished without violence or bloodshed. During his visit to India in 1956 he said: "You

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\* Z. A. Bhutto, deposed Prime Minister of Pakistan, was hanged on April 4, 1979, under the orders of the military regime there.



Indians are a remarkable people. How did you manage to liquidate the princely States without liquidating the princes?”. From a mere accession to a total disappearance of the States was not an ordinary happening and yet most of the dispossessed yet rulers accepted the new dispensation without demur. The Sardar was fully conscious of the tremendous sacrifice made by the Princely Order and ensured that the settlement with them was fair and to their satisfaction.

In spite of his generosity, what they received was modest compared to what they were accustomed to take. From Rs. 20 crores a year, their Privy Purse was drastically pruned down to Rs. 5.8 crores. Following the death of some of the leading princes, the amount dwindled to Rs. 3 crores. This small payment was permanently stopped by means of a constitutional amendment in August 1971. During the debate in Parliament on the abolition of the Privy Purse, the Prime Minister, Mrs. Indira Gandhi, said that there was a great levelling process in the country aimed at abolishing class division and class distinction. The Maharaja of Baroda, whose State was the first to sign the Instrument of Accession, defended his defunct order in the Lok Sabha thus: “Twenty-two years ago, on this floor, we were referred to as co-architects of Indian Independence. Today we are branded as an anachronism and, later, as reactionaries obstructing the path of building an egalitarian society”\*. How Sardar Patel grasped the Hyderabad nettle with Munshi’s assistance narrated in the next chapter.

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\**Princess Remembers: The Memoirs of the Maharani of Jaipur* by Gayatri Devi of Jaipur and Santha Rama Rau, published by Lippincott Co., Philadelphia and New York, 1976, p. 323.

# X

## Hyderabad

SINCE THE INAUGURATION OF the Constituent Assembly on December 9, 1946, Munshi became one of its most active members. His sound knowledge of constitutional law and his industry and enthusiasm for the work were an asset to the constitution-making body. Towards the end of December 1947, Sardar Patel, then India's Deputy Prime Minister and Minister in charge of the States Ministry, surprised him while they were taking tea together by saying that he, Munshi, should go to Hyderabad as India's representative. The Sardar said: "We have to send an agent to Hyderabad under the Standstill Agreement". His choice was well made. Apart from the fact that Munshi had a first-hand knowledge of the States' problem and was in fact playing an active role in persuading more and more princes to come into the Indian Union's fold, his standing in Indian public life influenced the Sardar's selection. Munshi was, however, not happy at the prospect of being separated from the Constituent Assembly at a time when the supreme statute of the land was being put into shape. His esteem and friendship for the Sardar, however, made it impossible for him to turn down the offer.

Munshi called on Mahatma Gandhi to take counsel with him. The Mahatma heartily agreed with the suggestion. He conceded that it was a difficult assignment but asked Munshi "if such as you hesitate to undertake the work, how are we to make any progress?" When he called on the Prime Minister, he



was briefed about the happenings in the State. "Hyderabad", Nehru said: "is sure to accede. It cannot run away from India". Munshi was elated by Nehru's optimism and his confidence in him. He thought that he would be able to return to the labours of the constitution-making body by the end of April with the Nizam's Instrument of Accession in his "pocket". His meeting with the Governor-General, Lord Mountbatten, was equally rewarding. Munshi wrote: "He was kind enough to remark that the job was one of a front-rank politician and he was glad I had been selected". Mountbatten was also hopeful that Munshi's mission in Hyderabad would not last for more than three or four months, by which time the Nizam would realise the wisdom of lining up with India. Munshi's appointment as India's Agent-General in Hyderabad was announced on December 25, 1947.

His task in the premier Princely State, situated in the Deccan, was to ensure that the provisions of the Standstill Agreement, concluded by the Nizam with the Government of India on November 29, 1947, were honestly and fully implemented. According to any standard of appraisal, it was a strange agreement which differed fundamentally from the hundreds of Instruments of Accession executed by the rulers of other states. At a time when revolutionary changes were taking place in the country, as in the rest of the world, it was too much to expect that anything could stand still, much less the relations between Hyderabad and New Delhi. According to the November agreement, the arrangements that had existed between India and Hyderabad before August 15 in the administration of their common affairs, including external relations, defence and communications, were to be continued. The Indian Government committed itself to withdraw its troops from the Nizam's Dominions and not to claim any paramountcy rights over the State. It also agreed to send an agent to Hyderabad and accept one from the Nizam in

New Delhi for the “better execution of the purposes” of the settlement. Any dispute between the two parties over the agreement, tenable for one year, was to be referred to arbitration\*.

It was an astonishing document which presented the most distorted picture of the true relationship of the Nizam with the Government of India since the establishment of Hyderabad as a succession State after the dissolution of the Moghul Empire in the first quarter of the eighteenth century. It was unhistorical and contrary to all canons of fairplay towards the rest of the Princely Order to treat the Nizam as distinct and apart from its members. He got these amazing concessions entirely because the negotiations with him were conducted by the Governor-General, Lord Mountbatten, and not by the redoubtable Sardar Patel. The Nehru government felt called upon to resign this responsibility to Mountbatten because of its vulnerable position at that time. India had suffered a grave surgical operation and was bleeding profusely. The widespread violence in northern India that accompanied the partition had made the law and order situation most tenuous. Muslim extremists in the sub-continent had come to regard the Nizam as the symbol of Islamic “sovereignty” in the South. Besides, His Exalted Highness Mir Usman Ali Khan had long been toying with grandiose ideas about his status and had announced his decision to assume “independent sovereignty” after the lapse of British paramountcy over his State. A large number of Muslims in Hyderabad had organised and armed themselves to support the pretensions of their Ala Hazrat at all costs.

The Sardar shared the unhappiness of his countrymen over the November Standstill Agreement with the Nizam. He was,

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\* *White Paper on Hyderabad*, Government of India, 1948, p. 43.



however, certain that the Nizam's downfall was inevitable. By entrusting the negotiations to Mountbatten, whose motives none could impugn, he wanted the world to realise how self-willed the ruler of Hyderabad was. He, therefore, defended the Agreement in the Constituent Assembly on November 29. He said that India would have been happy if Hyderabad had acceded to her in the same manner as the other States had done, but "consistent with our policy to secure agreement, not by coercion, but as far as possible with the maximum degree of goodwill on both sides and with due regard to the overall position, we felt that an agreement of this nature, even for a limited period, would have considerable advantages over the absence of any agreement whatsoever". He hoped that the period of one year would be utilized for forging closer links between the two parties, thus paving the way for Hyderabad's final accession to India\*.

Munshi found his position most difficult. The Nizam and his fanatical supporters had virtually reduced the standstill Agreement to a deadletter. They were determined to use the time allowed in it to prepare the State for a showdown with the Indian government the sandar futility of demanding a faithful adherence to the terms of the agreement. When Munshi met him sometime after taking charge of his office in Hyderabad, he was told to concentrate on negotiating a permanent settlement by March 31, 1948. How he should set about to achieve this end was, however, left to his own ingenuity and initiative. He rightly complained : "Never in the rich and varied annals of diplomatic history, so far as I know, was a diplomat sent on such a vague and nebulous mission as I was. My only authority was the clause in the Standstill Agreement which ran: "The Government

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\* Ibid p. 48.

of India and the Nizam agree for the better execution of the purposes of this Agreement to appoint agents in Hyderabad and Delhi respectively, and to give every facility to them for the discharge of their functions”. Munshi’s devotion to his motherland, his admiration for the antiquity and splendour of the Indian civilization, his abhorance for communal politics and his eminent qualities as lawyer, scholar and politician were anathema to Hyderabad’s ruling class. It looked upon him as the potential destroyer of its dreams and as the harbinger of the State’s doom. It, therefore, decided to frustrate his mission by leaving him high and dry. It did not take Munshi long to realise that the aim of the Nizam and his adherents was to make Hyderabad a “third Dominion”.

To prove the absurdity of this claim, it is necessary to delve somewhat deeply into the history of Hyderabad and the role played by its rulers from the time of its foundation till the withdrawal of the British from India. After the death of Aurangzeb, the Moghul Emperor, in 1707, his realm came under the control of a succession of weak rulers and soon fell to pieces. The ambitious Subedars or Governors of the Empire, taking advantage of the unstable conditions, established their independent sway in Oudh, Bengal and Hyderabad. The founder of the last-named succession State was Mir Qamaruddin, grandson of Khwaja Abid who, like Babar, the founder of the Moghul dynasty in India, was a native of Central Asia. Abid first came to India in 1654-55 on his way to Mecca and returned to this country in the following year. He was a man of deep piety and scholarship besides being a brave soldier. His qualities attracted Emperor Shah Jehan’s attention, but he shrewdly made common cause with Aurangzeb and assisted him in gaining the throne through fratricidal conflict. He became the trusted counsellor of the new Emperor who showered gifts and patronage on him. He rose to become the acknowledged chief



of the Turani soldiery. Abid's eldest son, Shihabuddin Khan, arrived in India in 1669 in the twelfth year of Aurangzeb's reign and, by displaying conspicuous courage in the wars against the Rajputs and the Marathas, gained a prominent position in the imperial court. He was dignified with the title of Ghaziuddin Firuz Jang.

Mir Qamaruddin, founder of the Asaf Jah dynasty, was the son of this successful man and was born on August 11, 1671. He grew in the imperial court under the care of the ageing Emperor who conferred on him in 1691 the title of Chin Qilich Khan. Following Aurangzeb's death, there were a series of pageant emperors who, emerging from obscurity, went into oblivion with astonishing rapidity. Their courts became hot-beds of intrigue and corruption. During the six years that intervened between the death of Aurangzeb and his first appointment as the Subedar of the Deccan, Qamaruddin saw enough in Delhi which decided him to stay away from the capital of a decrepit Empire. The first period of his Viceroyalty was brief, but his second term, besides being long, ended in the founding of Hyderabad as a state, practically independent of Delhi. Thus, the Deccan state came under the government of Asaf Jahi dynasty which was, however, careful not to claim independent sovereignty.

Mir Qamaruddin, who was honoured with the title of Nizam-ul-Mulk, was a man of the world *par excellence*. His sole concern was to preserve his newly acquired realm from becoming a prey to the Marathas who were fast becoming the most formidable military power in India. The affairs of these warlike highlanders were controlled by an able and astute Brahmin, Balaji Viswanath, who became Peshwa in 1714. Sir Richard Temple, who had made a first-hand study of the Maratha history, wrote that the Peshwa "had a calm, comprehensive and commanding

intellect, an imaginative and aspiring disposition, and an aptitude for ruling rude natures by moral force, a genius for diplomatic combination and a mastery of finance”. The first Nizam was equally astute but totally devoid of scruples. Briggs has described him thus: “If pliability of will, unparalleled duplicity and utter unscrupulousness constitute the necessary elements of greatness, Nizam-ul-Mulk possessed them in a degree passing belief”\*. These qualities did not, however, avert his ignominious defeat at the hands of Peshwa Bajirao I, thirty years his junior. Bajirao, acclaimed as a heaven-born cavalry leader, inflicted major military defeats on him, his discomfiture at Palkhed in the early months of 1728 being memorable. It was well within the ability of the Marathas to destroy the Asaf Jahi dynasty at its very birth were it not for the fact that they were restrained from doing so by their ruler, Shahu. Writing on the subject, the historian of the Marathas, G. S. Sardesai, calls attention to the ruler’s directive to the Peshwa: “You must on no account inflict any loss upon Nizam-ul-Mulk or injure his susceptibilities. We enjoin this on you as a sacred obligation to the memory of your revered father”#. Before his death in June 1748, the Nizam earnestly advised his son, Nasar Jang, never to come into conflict with the Marathas.

Whatever greatness there was in the founder of the Asaf Jahi dynasty perished with him. His successors inherited from him in full measure, not his estimable qualities, but his cunning and circumspect treachery. In the dynastic disputes that ensued, the contestants to the Hyderabad *masnad* sought the military assistance of the rising European powers in the South. Dupleix,

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\* *The Nizam* by Henry George Briggs, Volume 1, Bernard Quaritch, 1861, p. 53.

# *New History of the Marathas* by G. S. Sardesai, Volume II, Phoenix Publications, 1948, p. 100.



who became Governor of the French settlements in India in 1741, cherished the ambition of planting his nation's greatness on Indian soil. Towards this end, he intervened in the domestic disputes of the rulers of Hyderabad and the Carnatic. Although Dupleix's successors were deficient in his abilities, his countryman Bussy, succeeded in establishing French ascendancy in Hyderabad by putting Salbat Jang on the *masnad*. The English traders, however, succeeded in dislodging their European rivals from the South and in eventually winning continental sovereignty.

Lord Wellesley, the Governor-General, who perfected the system of Subsidiary Alliance, decided to destroy the supremacy of Tipu Sultan of Mysore in the South and sought and readily secured the assistance of the Nizam towards this end. The Nizam had earlier given a solemn assurance to the Mysore ruler that he would stand by him in his drive to expel the foreigners from the country. In token of his friendship for and religious solidarity with Tipu, he had sent him a splendid copy of the Koran. When the Mysore ruler fell; he had no qualms of conscience in sharing with the British the territories of his "ally" and co-religionist. The Marathas invariably looked upon the Nizam as their feudatory. When Lord Cornwallis, the Governor-General, suggested an alliance between them and the Nizam, they summarily rejected the proposal. His policy of neutrality gave them a great opportunity to inflict a crushing defeat on the Nizam in the famous Battle of Kharda in March 1795. "The Nizam", wrote the future Duke of Wellington in 1806, "by the result of an unfortunate state of hostility with the Marathas, which ended in battle and peace, or rather capitulation, concluded at Kharda in 1795, had fallen from the state of a great and leading power in Hindustan to that of a tributary of the

Marathas. His ministers were appointed by the Marathas, his army was disbanded”\*.

The Nizams, therefore, rushed breathlessly to the British, imploring the foreigners to take Hyderabad under their protective wing and thus straw-stuff the “sovereignty” of the Asaf Jahi dynasty. The Treaties of 1799 and 1800 ensured the absolute subordination of the State to the British power in India. Professor Edward Thompson, from whose book the above quotation is taken, does not mince words when he calls attention to the degradation of Hyderabad. “Its importance”, he says, “was trivial in the extreme, and its independence completely fictitious, in the half century before the Mutiny, and perhaps most of all in Lord Wellesley’s time. No one deviated from an attitude of steady contempt for it. The State became a happy hunting-ground for British commercial freebooters, the shady transactions of Palmer and Company providing a striking example of this fact. Sir Charles Metcalfe, British Resident in Hyderabad, suppressed the Palmer evil at a great risk to his career. Commenting on the Nizam’s restlessness “under our supervision”, Metcalfe declared that “he might perhaps have been roused into overt opposition, if he had possessed energy sufficient for so manly a demonstration”\*. Instead, he “abandoned himself to the delights of the zanana”.

There was an alarming deterioration in the Nizam’s administration but he came to no harm for this because he was regarded as a super-feudatory. The fact that the durability of the State depended, not on the abilities of its ruler, but on the

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\* *The Making of British India* by Edward Thompson, Manchester University Press, 1917, p. 206.

\* *The Life and Correspondence of Charles, Lord Metcalfe* by John William Kaye, Volume I, Smith Elder, 1858, pp. 363, 388.



protective armour furnished by the British was repeatedly brought home to the Nizams. “The two great Mohamedan States of Oudh and Hyderabad”, wrote Sir Alfred Lyall, “were remarkably weak in proportion to their territory and revenue; they carried little weight in the political balance; and the chief concern of the British Government was to prevent their premature dissolution”#. Oudh was annexed in 1856 but Hyderabad escaped such a well-deserved fate. Its assistance to the British during the formidable uprising of 1857 ensured its continued existence. The role played by the princes during that critical period was a revelation to the foreign Government. Thenceforward the abolition of the states for any reason was abandoned for ever.

The Nizam became the most pampered feudatory of the Raj. His generosity to his protectors was proverbial, “Nizzy pays for everything” became a common saying among his exploiters. He received imperial patronage in various ways. *The Quarterly Review* acclaimed him as “the greatest Mahomedan power in India”. The “Faithful Ally” of the Raj was dignified in 1918 with the tittle of “His Exalted Highness” while the rulers of other states were mere “Highness”. The Nizam’s repeated attempts to secure the rendition of Berar were firmly turned down. Lord Curzon, how the ever, soothed his ruffled feelings in 1903 by allowing the heir-apparent of Hyderabad to call himself the Prince of Berar. The Nizam was profoundly thankful for this empty generosity.

But such favours did not and could not improve the political status of the Nizam which was one of distinct subordination to the Paramount Power. All the principalities that survived British conquest were treated alike to ensure their absolute loyalty to

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#*The Rise and Expansion of the British Dominion in India* by Sir Alfred Lyall, John Murray, 1907, p. 228.

the Raj. A British authority declared: “The differentiation of states as allied, tributary, created or protected is illusory. All are alike respected and protected ”\*. The Nizam was thus treated as *primes inter parse* among the protected Princes only in unimportant matters. Interference in his domestic concerns began from the time Hyderabad established its political relations with the British. For instance, in 1835, 1867 and 1897, the ruler was asked by the British Indian Government to give good and efficient government to his people and to manage the State’s finances competently. A few months after the accession of Mir Usman Ali Khan, the last Nizam, in 1911, he was warned by the Viceroy, Lord Hardinge, that he was “on his trial for two years, at the end of which it would be just as easy for the Government of India to appoint a Council of Regency as now”.

This man, who entertained overweening political ambitions, was warned twice by the Viceroy, Lord Chelmsford, in 1919 that intervention by the Paramount Power would be inevitable if he failed to administer the State well. The Viceroy declared emphatically, “I cannot tolerate misrule”. The Nizam, who claimed that his State was an independent “country”, was not free to appoint his own ministers. Almost from the beginning of Hyderabad’s relations with the British, ministers were imposed on its rulers. Mir Alam, Raja Chandu Lal, Sar Salar Jung, Sar Salar Jung II, Vikarulmulk, Sir Krishna Pershad, Sir Ali Imam, and Sir Akbar Hydari were all nominated by the British Indian Government to govern the State. Usman Ali Khan admitted in his memorandum of July 28, 1918, that he could not appoint a minister without consulting the British Resident and without the consent of the Government of India.

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\**The Protected Princes of India* by Sir William Lee-Warner, Macmillan, 1894, p. 49.



Indeed, till the lapse of Crown Paramountcy, the Nizam was never allowed to forget his true position. Lord Reading's rejoinder of March 27, 1926 to Mir Usman Ali Khan's assertions on the Berar question is memorable. The Viceroy declared: "I will merely add that the title "Faithful Ally" which your Exalted Highness enjoys has not the effect of putting your Government in a category separate from that of other states under the paramountcy of the British Crown". In the same year, the British Resident in Hyderabad drew up a memorandum stating the correct constitutional position of the State. The importance of this less widely known document warrants a somewhat detailed reference to it. It says : "There can be no doubt that it (Hyderabad) owes its very existence to the British connection. The Asafia family had not taken strong root in the Deccan in 1800; in point of fact, it may be said that it has never ceased to be foreign. Without the British, it must have relied on the handful of Muslims domiciled in the State, a forlorn hope against Maratha resurgence. Left entirely to himself it is doubtful if the present Nizam would be able to maintain himself for any length of time".

Calling attention to the polyglot composition of the State, the perceptive author of the document said that the strong move of the three linguistic regions—Andhra, Marathwada and Karnataka—to break away from the Nizam's control could be neutralised only by good government. The Resident "regretfully" observed that the ruler showed no inclination at all to soften his "unchecked absolutism" in the government of his State. About the constitutional status of the Nizam, the document pointed out: "The limitations on internal sovereignty which paramountcy implies have been shown to exist as fully developed as elsewhere". The Resident categorically rejected the Nizam's plea for restoring to his State the position which it was claimed to hold before entering into political relations with the British.

He said that without British protection, the people of the State would soon “sweep away” the unpopular Government. He declared with absolute finality: “It is in fact impossible, treaty or no treaty, to allow an unfettered despotism to be set up in Hyderabad”. The Nizam’s claim to pre-existing sovereignty was, as we saw earlier, a myth.

The Nizam rashly brushed aside all these irrefutable facts of history when he declared that after British withdrawal Hyderabad would opt for complete independence. He took this stand by calling attention to the British Cabinet Memorandum of May 1946. In a *firman* issued on June 12, 1947, he claimed that “the result in law of the departure of the paramount power in the near future will be that I shall become entitled to resume the status of an independent sovereign”. This was a patently absurd contention. His ancestor, Qamaruddin, was only a subedar of the Moghul Emperors. He and his successors would have been dislodged from power if the Marathas had willed it and if the Nizams had not secured the protection of the British. So at no time was Hyderabad an independent or substantive State. The Nizam could not, therefore, falsify history by making preposterous claims about the status of his dynasty. Soon after India became independent, the Government asked him to bring his State into the new Dominion. His plea for two months’ time to consider the issue was readily conceded. After a good deal of humming and hawing and with no intention of honouring his commitments, Mir Usman Ali Khan signed the Standstill Agreement on November 29, 1947. Despite the extremely favourable terms granted to him, he was determined to ignore the Agreement in pursuit of the mirage of “independent sovereignty”.

Before making an assessment of the magnitude of the task that confronted Munshi as India’s Agent-General in Hyderabad,



a few facts about the State would be relevant. The State was the biggest of its kind in India and, with an area of 82,698 square miles, it was larger in extent than England and Scotland put together. Hyderabad is landlocked and constitutes the “belly” of the Indian Union. The State had a population of 16,338,534, of whom the Hindus were 13,310,045 and the Muslims 2,097,475. It consisted of three main linguistic areas. Telangana, which during the twilight of the Nizam’s regime, became the hot-bed of communism, covered almost half the State, with Telugu as the mother tongue of its nine million people. Marathwada was the next largest region where four million people spoke Marathi. The third area was a chunk from Karnataka and was inhabited by more than two million Kannada-speaking people. Over this multilingual realm an autocrat presided, his Government being bolstered up by a “fascist minority”. The State was rich in natural but unexploited resources while its ruler was reputed to be the richest man in the world. An oppressive feudal system had reduced the peasantry to absolute misery, thus paving the way for communism to gain ascendancy in districts where there was abysmal poverty. The administration was so deeply impregnated with nepotism, bribery and corruption that some observers felt that revolutionary changes alone could purify it. This dismal situation was rendered worse by the unbridled activities of Razakars, a large band of armed desperadoes who practised extensive terrorism in support of their Ala Hazrat, the Nizam. The generalissimo of these violent hooligans was Kasim Razvi, an outsider.

Munshi's first and only encounter with His Exalted Highness Mir Usman Ali Khan the Seventh before the latter’s downfall was remarkably unproductive. The thought of meeting a man of such wide reputation was for the Indian representative “mildly exciting”. Accompanied by the State's Prime Minister, Mir Laik Ali, Munshi

called on the ruler on January 9, 1948, at his residence in King Kothi. What he saw in the palace is best narrated in Munshi's own words : "As we stepped out of the car, I saw a thin old man with a stoop standing on the verandah. He was wearing a faded fez, a moth-eaten muffler, an old sherwani and a pyjama which had last been pressed when they had first come of the tailor's shop. It was difficult for me to place this man correctly. But Laik Ali's very low and respectful bow in the appropriate Hyderabad style left no room for doubt. I stood in the presence of the Exalted".

It was not Munshi alone who was amazed at the appearance and apparel of the Nizam. Others were similarly taken aback. Alan Campbell-Johnson, who had accompanied Lord Mountbatten to India to assist him in the epic disengagement operations, called on the Nizam in Hyderabad on May 15, 1948. He writes: "Mir Laik Ali stepped forward to introduce me to His Exalted Highness, who was sitting almost invisible on a large settee. I was staggered by his thread-bare appearance, and for the instant failed to realise I was in his presence, but I pulled myself together in time to greet him with fitting courtesy". The visitor noticed that the Hyderabad ruler was physically decrepit but mentally alert and in full command of his faculties. He was "arrogant and narrow, but on his home ground formidable". He was unyielding and aggressive and dismissed the other princes as mere noblemen to whom some "courtesies" were due!\* While scrupulously avoiding any discussion of the Indo-Hyderabad issue with Munshi, the Nizam told him that he had conveyed his terms to the Government of India. What those terms were and how extravagant they were will be discussed presently. His talk with Munshi was rambling and embraced a number of irrelevant subjects.

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\* *Mission with Mountbatten* by Alan Campbell-Johnson, Robert Hale, 1951, pp. 328-30.



The Nizam believed that he had powerful support in his challenge to the Indian Government. The submission of his dynasty to British domination had lasted so long that he refused to believe that there could be an end to the arrangement. At a banquet given to the last British Resident on the night of August 14, 1947, he said: "It is still my desire and the desire of Hyderabad to remain within the Family of Nations known as the British Commonwealth. After all these years of friendship, I am confident that the ties which bind Hyderabad to Britain will not be severed". Evidently, for this man Britain was nearer than India, which, in his eyes was perhaps a foreign country. The outgoing Resident, Herbert, lost nothing by mouthing a few platitudes. He said: "I join with your Exalted Highness in the hope that a new relationship between them (Hyderabad and Great Britain) may soon be created and may prove as enduring as that which is passing away". The Resident was prophetic. He did not anticipate that the Government of free India would last long so that it would not be long before he could stage a come-back. He did everything in his power to damage the interests of the Indian Government. Besides destroying the Residency files, he handed over three military barracks to the Nizam. The latter was not slow in out-Heroding Herod. He declared "When the British go from India, I shall become an independent sovereign".\* A number of British nationals, including a couple of journalists, who had found their occupation gone in India, made common cause with the Nizam and assisted him in his military preparations and propaganda against this country. Perhaps, such support emboldened him to defy New Delhi.

The partition of India on religious grounds was another reason for the Hyderabad ruler to embark upon his foolhardy

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\* *The End of an Era: Hyderabad Memories* by K. M. Munshi, Bharatiya Vidya Bhavan, 1957, p. 56.

course. The birth of Pakistan on the basis of the preposterous two-nation theory was little short of a miracle and had created among the Muslims of the sub-continent an unprecedented awareness of their solidarity. The State had an international reputation on account of the religion of its ruler and it was wishfully thought that the entire Islamic world would be outraged if he was deposed from his position. He found in Jinnah, the founder of Pakistan, a staunch supporter of his “cause”. Earlier, the formidable Qaid-i-Azam had been shown his place by the Nizam when the former sat before him with outstretched legs and with a cigar in his mouth. He angrily asked the visitor: “Do you know who I am? Is this the way you behave towards the Nizam of Hyderabad”# Jinnah promptly corrected himself, but the storm having burst, apology could not ease the situation.

The antagonists later buried their hatchet in pursuance of the common goal of disruption Indian unity. On June 1, 1948, Jinnah, who was now the Governor-General of Pakistan, declared that Hyderabad was an “independent sovereign state” and that “not only the Muslims of Pakistan but Muslims all the world over fully sympathised with Hyderabad in its struggle”. His utterances on the Hyderabad issue were an outrage on all canons of international law and morality and constituted a gross interference in the domestic affairs of India. Even so, there was no intrinsic value in them. Earlier, when he was asked by the Nawab of Chhatari, who was then the Prime Minister of Hyderabad, whether Pakistan would be ready to assist the State against India, his reply was in the negative. The Nizam was, however, past seeing reason. He gave a loan of Rs. 20 crores to Pakistan which was against the spirit of the Standstill Agreement. His first aim was to acquire independent sovereignty.

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# *My Public Life* by Sir Mirza M. Ismail, G. Allen and Unwin, 1954, pp. 98-99.



If he was foiled in this attempt, he was prepared to join his State to Pakistan, no matter whether such action was in violation of geographical compulsions.

The Nizam was a self-willed autocrat who loved to live in the dreamland of his own creation, but until he came under the influence of rabid communalists, he chose his counsellors wisely. In August 1946, he replaced the Nawab of Chhatari by Sir Mirza Ismail as his Prime Minister. Sir Mirza was a first rate administrator who had made a name as the Dewan of Mysore, the most enlightened and the second largest principality in India. He had also served in Jaipur, the premier Rajasthan State and was instrumental in introducing many progressive measures there. Many right-thinking persons in Hyderabad, including the local Congress leaders, rejoiced at his coming and hoped that a new era would soon dawn in that benighted State. All such expectations were, however, soon belied since the communal diehards who were a power in the State, were solid ranged against him. Tendering his resignation to his office as Premier on May 15, 1947, Mirza complained that he was "opposed at every turn by a certain section of the local Mussalmans who, in my opinion, are bent on a course that is suicidal to the State".

The good-natured Nawab of Chhatari was reinstated in his position, but he was too powerless to prevent the Nizam from rushing to his doom. In July 1947, he led a delegation to New Delhi, with Sir Walter Monckton, Sir Sultan Ahmed and Nawab Ali Yavar Jung, to negotiate a settlement on issue of Hyderabad's accession to India and had secured favourable terms for the Nizam. A draft agreement finalised on October 18. Nine days later, when the delegation attempted to return to Delhi with the Nizam's signature on the agreement, the house in which its members were put up was surrounded by a menacing mob of Razakars, with the co-operation of the police, to prevent them

from going to the Indian. capital, The Nizam sent for their leader, Kasim Razvi, who persuaded him to dissolve the old delegation and appoint a new one under the leadership of Nawab Moin Nawaz Jung, a clever Ittehad fanatic and a hater of India. The new delegation included Abdur Rahim, another Ittehad extremist. The Nawab of Chhatari, a zamindar from the United Provinces, now called Uttar Pradesh, shook the Hyderabad dust off his feet on November 1, 1947, and returned to his home province.

Sir Sultan Ahmed, a man of moderate views, soon discovered that no task was more thankless than that of Adviser to the Nizam. Going back to his home outside Hyderabad Sir Sultan wrote: "Unfortunately, the extreme Muslim opposition represented by the Ittehad, hardened, and the leading part in this opposition was played by Moin Nawaz Jung and Syed Taquiuddin, the Bihari Secretary in the Government of Hyderabad, who had been dismissed by Sir Mirza. It was suspected that the opposition was also receiving great financial support from Mir Laik Ali, brother-in-law of Moin Nawaz Jung". Nawab Ali Yavar Jung, who was later given positions of great responsibility and dignity in free India, was also disliked by the Ittehad clique. He politely declined to proceed abroad, along with Mir Laik Ali, to negotiate a "defensive alliance" with Britain and America. Like his sober colleagues in the Nizam's service, he deplored the obstinacy of the ruler in not facing the realities of the situation. He was a Shia and when he resigned, a regular drive was launched to get rid of the officers of that sect.

Mir Laik Ali, a convinced Ittehad man, was installed in the seat vacated by the Nawab of Chhatari. Munshi had known him before as his client. His hope that he could establish cordial relations with the Hyderabad Premier and thus smoothen the



path for its accession to India was soon dashed to the ground. The two certainly met often, but on this issue there was no common ground between them. Laik Ali's one foot was in Hyderabad and another in Pakistan. Jinnah was his *beau ideal*, with whom he had established close relations and was prepared to go to any length to please his exemplar and his Dominion. He refused to see the writing on the wall. Even when he knew that resistance to India was futile and disastrous, he told Munshi that it was impossible for him to reconcile himself to the thought of Hyderabad's accession to this country. When told about the dire consequences of such stubbornness, he replied: "Mr. Munshi, there is such a thing like *Sahadat* martyrdom". He derived his courage to tempt fate from the support he received from the Ittehad and its "sword-arm", the Razakars.

A brief reference to these lawless hordes is relevant. The Majlis-i-Ittehad-ul-Mussulmeen, Ittehad for short, came into existence in 1926, its founder being Mohmud Nawaz Khan, a retired official. Its aim was to unite the Muslims of the State in order to support the Nizam and to perpetuate the hegemony of the minority community in it. The Khan hoped to transform Hyderabad into a Muslim-majority State by means of large-scale conversions. The Nizam found in another man, Bahadur Khan, a zealot in the cause of sustaining his supremacy and raised him to the rank of the aristocracy by calling him Bahadur Yar Jung. He duly made his protege the head of the Ittehad. The new champion of communalism was impartial in his hostility to all progressive elements in the State and swore enmity to wards forward-looking and secular-minded Hindus and Muslims alike. When he died in 1944, the Nizam paid him a remarkable tribute: "He was", wrote His Exalted Highness, "a gift from the hand of the Almighty for the sake of protecting the rights of the elect community (Muslims)". Two years later, Kasim Razvi took

charge of the fanatical organisation whose headquarters was ironically called *Dar-ul-Salam* or Abode of Peace.

Razvi was an abnormal creature. He was the product of Lucknow and Aligarh Universities but his megalomania had driven all traces of culture and commonsense out of him. He became a fanatic and an uninhibited sadist and cultivated the art of rousing the rabble by his intemperate and mendacious outbursts against India and her respected leaders. He armed a large band of desperate men with lethal weapons and called them Razakars who, besides terrorising the Hindus in the State, inflicted barbarities on a number of border villages in the Indian Union. Razvi, who gradually established his ascendancy over the mind of the Nizam by judiciously feeding his vanity, became intoxicated with power. The Nizam knew that the man was a charlatan and once called him a “blackguard” and a “tupenny-halfpenny” fellow and yet he did not choose to show Razvi his since both cherished grandiose ideas about the future of Hyderabad. The demented *condottiere* expected Munshi to call on him when he arrived in Hyderabad on January 5, 1948, to take up his new responsibilities there. Munshi disdained to do anything of that kind, dismissing him as a “hunchback Fuehrer”. Alan Campell-Johnson has drawn a vivid picture of Razvi whom he calls “the complete fanatic”. His stares frightened friends and foes alike but there was a streak of absurdity about him which made it difficult to take him seriously. He looked like a “blend of Charlie Chaplin and a minor prophet”.\*

And yet this absurd man, whose rightful place should have been either on the gallows or in a prison cell, wielded tremendous influence in the affairs of Hyderabad and was in no small measure responsible for its ruler’s downfall. In January

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\* *Mission with Mountbatten* by Alan Campbell-Johnson, p. 332.



1948, when Munshi went to Hyderabad, the strength of the Razakars was 30,000, but by July-August of the same year it rose to more than 100,000, the recruitment target being five times that number. The function of the rapidly expanding organisation was to terrorise all those who loved their motherland, irrespective of their religious affiliations, and to transform Hyderabad into a “country of the faithful”. Rev. W. Lee Cato Edwards, Head of the Diocese of Medak, Church of South India, met Munshi in August 1948, and bitterly complained to him about the Razakars atrocities in the countryside of the State. The villages were looted and their inhabitants attacked. The weapon of bribery and intimidation was freely used to coerce the Christians into toeing the Razakar line.#

Razvi's sole aim was to prevent Hyderabad from having any manner of political relationship with India and to reduce the Standstill Agreement of November 1947 to a dead-letter. Earlier, he had made a desperate bid to prevent such an agreement being concluded. He told the Nizam: “If Ala Hazrat signs the Standstill Agreement, it will mean the end of Hyderabad”. His public utterances were as unbridled as his misdeeds. In his eyes, the Hindus were “barbarians”. He threatened the Indian Union that there would be mass massacres if Hyderabad was invaded. He made a public appeal to the Muslims of the Deccan and to Jinnah and Pakistan to come to the aid of his Ala Hazrat. At the same time, he overwhelmed Indian leaders with vile abuses. There was indeed no restraint in his utterances. On one occasion, he said: “Hyderabad will shortly recover the ceded districts and the day is not far off when the waves of the Bay of Bengal will be washing the feet of our sovereign who will be called not only the

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# *The End of an Era* by K. M. Munshi, p. 184.

Nizam of Hyderabad and Berrar but also of the Northern Circars”. He was, he claimed, “rewriting the map of India by bringing together a union of Jamna and Musi. We are the grandsons of Mohamed Ghazni and sons of Babar. When determined, we shall fly the Asafjahi flag over the Red Fort in Delhi”. The admirers of this lunatic conferred on him the title of *Mujahid-e-Azam*, the Great Fighter of the Holy War! When Razvi met Sardar Patel in Delhi, he ranted before him in his customary manner, saying: “We shall fight and die to the last man for Hyderabad”. The great man calmly replied: “How can I stop you from committing suicide if you want to?”

Probably, the November Standstill Agreement would never have materialised were it not for the patient and persevering efforts of Sir Walter Monckton, the Nizam's Constitutional Adviser. Sir Walter was a distinguished lawyer, and an able and accomplished negotiator. Munshi points out that, as counsel, this British lawyer was very much in demand by the solicitors of the Bombay High Court in appeals to the Privy Council. Some of the cases Munshi had conducted in Bombay were, “admirably handled by him in appeal to the Privy Council”. To these distinguished qualities were added Sir Walter's close friendship with Lord Mountbatten who had assumed the responsibility for grasping the Hyderabad nettle on behalf of the Indian Union. Besides being prepared to go a long way to accommodate his lawyer friend, the Governor-General was anxious to settle the Hyderabad question almost at all costs before leaving India in June 1948. Sir Walter was not happy with his assignment. Apart from the fact that he felt insulted by Razvi's insinuations and innuendoes, he found in the Nizam an impossible client. And yet he persisted and succeeded in securing for Hyderabad unique concessions as embodied in the Standstill Agreement. Later, when he found the Nizam unyielding even after larger concessions had been won from the Union Government,



Sir Walter decided to return to England. Asked by his intransigent client when he would return, he replied: "I hope you will still be the Nizam when I come again".\*

It was clear from the outset that the Nizam had no intention at all of giving an honest trial to the November agreement. He was advised that what was arrived at was only a temporary arrangement in order to get "a full and comparative peace during which, as we have often said, we can see how the two Dominions get along and how far we *can prepare ourselves for a more genuine display of independence later on*".# But one year was too long a period for the Nizam to wait for donning the robes of royalty. Isolated from the mainstream of Indian national life and continually fed with the Razakar propaganda about the invincibility of his position, he believed that India was too weak to be able to bridle his overweening ambitions. Evidence mounted rapidly to prove that the Laik Ali Government, which was hand in glove with Kasim Razvi and his retainers, was determined to treat the November document as a scrap of paper. To counter this perfidy, the Indian attitude began to harden. New Delhi demanded the suppression of the Razakars, the introduction of representative government in the State, and the conduct of a plebiscite on the accession issue.

Laik Ali, who wanted the Indo-Hyderabad relations to be regulated on the basis of an Instrument of Association and not in terms of accession, agreed at a conference on May 26, 1948, to a new arrangement. According to it, defence external affairs and communications should vest in the Union Government which should be untrammelled in adopting suitable legislation for

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\* *Op. cit pp. 174-75.*

# *White Paper on Hyderabad*, p. 23, (Italics Not mine).

11-473 M. of I&B/ND/81.

the purpose. The Nizam's armed forces should be limited to 20,000 men, of whom 60 per cent should be non-Muslims. The State should have no political relations with any foreign power. An interim government should be set up with not less than 4 per cent non-Muslims as ministers. By January 1, 1949 a Constituent Assembly should be convened 60 per cent of whose members should be non-Muslims. This scheme was drawn up by V. P. Menon and was accepted by Laik Ali during his deliberations with Lord Mountbatten and Nehru. Sardar Patel, who was convalescing at Mussoorie, approved it, but insisted that it should be accepted by the Hyderabad Government within twenty-four hours of its Prime Minister returning to his State.

Back in the State capital, Laik Ali saw no reason why he should honour his pledge! At a dinner with Munshi on May 28, he spoke at length about his Delhi discussions and made an impassioned plea to his guest for "co-operation". He said: "I am making a great experiment. I want the bond between India and Hyderabad cemented. Give me a chance to show that Hyderabad can be a source of strength to India. I know you are very critical of me. You have come in my way more than once. This time, please help me. Please tell Sardar not to come in the way and for Heaven's sake do not come in the way yourself." Munshi was surprised at this impassioned plea and replied that he would certainly help if Hyderabad was sincere in seeking Indian friendship.

There was absolutely no scope for further negotiations, but Mountbatten's anxiety to settle the issue before returning home and the pertinacious efforts of Sir Walter Monckton to find a *modus vivendi* induced the Indian Cabinet to agree to the resumption of the talks. On June 6, Sir Walter and Mir Laik Ali went to New Delhi for the purpose and, after protracted



discussions, two drafts, one giving the heads of agreement, and another about the contents of the *firman* to be issued by the Nizam, were prepared. On June 7, Sardar Patel, who was thoroughly fed up with the Nizam's intransigence and dilatory tactics, wrote to Mountbatten telling him about the futility of merely presenting formulae for a settlement. The various violent incidents in Hyderabad and on its borders had thoroughly roused Indian opinion against it. The Nizam must agree to accede to the Indian Union on the three subjects and to introduce "undiluted responsible government with a provision for a satisfactory interim arrangement anticipating and facilitating such introduction".

The Governor-General could see that both Nehru and Patel were losing their patience over the Hyderabad issue. He could also see that the draft agreement prepared on June 6 embodied the Indian Government's last offer. On June 12, Sir Walter Monckton reported that the two documents were endorsed by both the Nizam and his Executive Council. Three days later, Mountbatten wrote to the Nizam making an earnest appeal to him to ratify the documents the same day. "The situation", he wrote, "has not been easy to hold here, and we are all agreed that the matter must be concluded today Tuesday, without fail in the interests of good feeling and friendship". He told the Nizam that he had only five days left in India. Although he would be extremely busy till his departure, he could still find time to go to Hyderabad. "I am so anxious", he said, "to be able to express the goodwill of India in person to you before I go that I will somehow find the time to get down even if it is only for two or three hours, for I should much like to renew our acquaintance before I leave". The Nizam failed to realise that he could never have received such a letter from the Crown Representative, his overlord, during the British period.

The June draft agreement, which Mountbatten asked the Nizam to sign forthwith, was, like the earlier documents of its kind, most generous to Hyderabad. It committed the State Government to pass legislation similar to that of the Government of India in matters pertaining to defence, external affairs and communications. The strength of the Hyderabad Army should not be more than 20,000 while the State's irregular forces, should be limited to 8,000. The Indian Government undertook to supply arms, ammunition, and equipment to the Hyderabad Army on the scale prescribed in the Agreement. The Indian armed forces would not be stationed in Hyderabad except in an emergency and would be withdrawn as soon as the necessity ceased. Hyderabad's external relations would be conducted by New Delhi but the State would be free to establish trade agencies in foreign countries. According to the draft *firman*, the Nizam agreed to hold a plebiscite in his State on the question of its accession to India and would abide by the people's verdict. A Constituent Assembly would be convened in early 1949 with a view to introducing responsible government in the State. A new interim Government would be formed in consultation with the leaders of the major political parties.

The concessions wrung by the Nizam from an unwilling Indian Government were, according to any assessment, far reaching, but so perverse was the politics of the State and his own thinking that they failed to appease him and his rabid counsellors. On June 19, Munshi had a fairly long discussion on Hyderabad with Mountbatten on the eve of his departure from India. The British statesman told him that he had had many jolts in his life but the Hyderabad episode gave him the greatest shock. "I could not help reflecting once again", wrote Munshi, "that a little more sternness on his (Mountbatten's) part, and a little less dependence on Sir Walter Monckton's advocacy, would have brought accession in March". The retirement of



Mountbatten from India on June 21 and the departure of Sir Walter two days earlier brought to a welcome end all uncertainties about the Indian Government's attitude towards the Nizam and his pretensions. It was absurd for him to claim, by ignoring the whole range of historical facts, that his State was unique among the Indian principalities. It was equally absurd on his part to dismiss other rulers, including those of such important States as Mysore, Gwalior and Baroda, as mere nobles while claiming the attributes of royalty for himself. Sardar Patel, who now handled the Hyderabad question, was the last man to be deluded by such fables.

The Sardar was convinced that so long as Hyderabad remained under the Nizam's control, the State would be "a cancer in the belly of India". He decided to rid the country of this dangerous disease. He kept himself in close touch with Munshi to be able to feel the pulse of the State. When Munshi told him about some minor attempts in Hyderabad to bring about a settlement as envisaged by Mountbatten, he replied: "The settlement has gone to England"! In a hardhitting speech on July 15, 1948, he declared. "Many have asked me the question what is going to happen to Hyderabad. They forget that when I spoke at Junagadh I said openly that if Hyderabad did not behave properly it would have to go the way Junagadh did. Those words still-stand and I stand by those words. The former Governor-General, Lord Mountbatten, thought that he would be able to secure a peaceful settlement. I let him do so. He tried his best But I should like to make one thing clear.... *The terms and the talks which Mountbatten had have gone with him. Now the settlement with the Nizam will have to be on the lines of other settlements with the States. No help*

*from outside on which he seems to rest his pathetic hopes would avail him.*”\* (Italics mine). That was the type of language Indian opinion had long waited to hear from the Government leaders.

The Bourbons in Hyderabad were, however, determined to learn nothing and forget nothing. The Nizam was not prepared to shed the illusion that the British could still help him. On July 4, he appealed to the British Prime Minister, Clement Attlee, to intervene. Jawaharlal Nehru also wrote to the British Prime Minister apprising him of the real position. Attlee told the Nizam that he was unable to intervene. “The Labour Government”, Munshi wrote, “throughout had played and were playing a very honourable part in the matter of India”. But the stand of the Tories, most of whom were arch imperialists, was different. They could not forgive the Congress for hastening the end of their Raj in India. They described India’s belated punitive action against the Nizam’s Government in September as an “act of aggression”. It was because of the encouragement given by the international reactionaries that it summoned courage to take its spurious case to the Security Council of the United Nations. Revealing his Government’s move in the State Legislative Assembly on August 2, Laik Ali spoke the language of a martyr. He said: “They (the Government of India) may coerce us. They may subject us to any ordeals. They may overrun us by their military strength. We cannot give up our stand”. The Nizam knew that the collision course he had adopted was suicidal, but it was now too late for him to retrace his steps. While dining with Munshi on August 9, Laik Ali told him categorically that accession to India was impossible.

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\* *On Indian Problems*, Sardar Patel’s Speeches, p. 40.



The Nizam had prepared himself for a show-down with India and had spent as much as Rs. 22 crores on war-like preparations. Few in Hyderabad believed that resistance to Indian military action would succeed. Long before hostilities broke out, the State's prospects were discussed at the highest level. When El-Edroos, Commander-in-Chief of the Hyderabad army, was asked how long his forces could hold out, he replied: "Not more than four days". The Nizam intervened with the astounding observation: "Not more than two". And yet he allowed himself to be dragged by the collar to his doom. The Indian Prime Minister told the national legislature on September 7 that his Government had made a final demand on the Nizam to ban the Razakar organisation and to agree to the reposting of Indian troops in Hyderabad. By way of reply to Nehru's plea, the Nizam ordered the mobilization of his armed forces the same day, thus throwing down the gauntlet to the Indian Government. The new Governor-General, C. Rajagopalachari's earnest appeals to him to see reason before it was too late were ignored.

India was convinced that it would be impossible to bring the Nizam to his senses without decisive military action, but the partition of the country had caused disarray in its affairs, including in its armed forces. Some twenty thousand tried soldiers were, however, assembled and ordered on September 13, 1948, to march into Hyderabad under the command of Major-General J. N. Chaudhuri. Ranged against the Indian army were the Nizam's troops numbering twenty-two thousand. They were assisted by numerous armed bandits, calling themselves Razakars. The Hyderabad Radio was untiring in putting out fictitious reports of resounding victories for the State Forces. It chanted "*Insha allah! The Hyderabad army is winning rapid successes*". There was no limit to the mendacious propaganda. The world was told that the Nizam's victorious army was approaching Goa! In Pakistan, whose Qaid-i-Azam's

death was announced on September 12, the bereaved “nation” derived much comfort from the glad tidings about India’s ‘humiliation’.

The facts were, however, entirely different. The Hyderabad Army never gave a determined stand against the Indian forces even once. A large number of its men, sworn to support the Nizam’s non-existent sovereignty, shed their uniforms and disappeared. Even senior commanders deserted their posts and yet chose to send deceitful reports to their headquarters. The Indian Army’s move towards the State capital was swift and without any serious opposition. On September 17, its Commander received the surrender of the Hyderabad Army so that the whole operation against the Nizam was over in 108 hours, thus confirming the historical truth that the durability of the Asaf Jahi dynasty had lain not in its military prowess, but in the power of its protectors. The panick-stricken Razakars, whose warlike ardour had never gone beyond streets and alleys, were hunted down like vermin wherever they were caught. Their bellicose leader, Kasim Razvi, deserved to be hanged, but the kindly military Government of India in Hyderabad spared him. He was arrested and sentenced to eight year’s rigorous imprisonment in a dacoity case. On his release in 1959, he ran away to Pakistan where he died some years later in well-deserved obscurity.

Meanwhile, the Nizam was making desperate attempts to save himself from certain destruction. He sent a message to C. Rajagopalachari, the Governor-General, saying that the Laik Ali Government had resigned, that he had ordered the cease-fire to his Army and that he was allowing the Indian troops to occupy Bolarum and the Secunderabad barracks. He invited Munshi to meet him in his King Kothi Palace. When the Indian Agent-General called on him, he found His Exalted Highness in a state



of collapse. The change over from arrogance to obsequiousness was complete. He agreed to Munshi's suggestion to go on the air to announce the surrender of his State to India. He told his "beloved people" on the radio that the Laik Ali Government had gone out and that he had issued orders for the immediate release of Swami Ramananda Tirtha, President of the State Congress. He took the opportunity of acknowledging the help Munshi had rendered him on the occasion. He also announced the withdrawal of Hyderabad's complaint to the Security Council of the United Nations.

Munshi also made a brief statement on the Hyderabad Radio. He expressed his happiness that the Nizam had ordered the cease-fire and told the people of the State that they were one with the rest of the Indian population. "We are one people" he said, "and we cannot be parted". He reminded his listeners that the Prime Minister, Pandit Jawaharlal Nehru, had repeatedly declared that India was a secular State. It made no distinction between one Indian and another on grounds of religion or race. He assured the people of Hyderabad that their safety and rights would be fully protected and warned the law-breakers that their activities would not be tolerated. Munshi further said: "The Indian Army is an army of friends to rescue the life of Hyderabad from the nightmare of the last twelve months. I appeal to Hindus and Muslims both to act with mutual trust and goodwill to enable Hyderabad to achieve its honoured place as an integral part of India".\* Laik Ali, who, along with Kasim Razvi, had played the most sinister role in hastening the disgrace and downfall of their master, was arrested in Hyderabad after police action. He managed to escape from house-arrest to Pakistan in March, 1950.

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\* *The End of an Era* by K. M. Munshi, pp. 230-32.

The Nizam was treated with the utmost consideration by the Indian Government. Besides allowing him to retain his immense wealth, he and his family were permitted to enjoy all the personal privileges, dignities and titles they had enjoyed before. In addition, with effect from April 1, 1950, the Nizam became entitled to receive annually for his privy purse a sum of fifty lakhs of rupees during his lifetime. When the Indian Constitution was brought into force in January 1950, Hyderabad was given the status of a Part B State, along with Mysore, Kashmir and seven States' Union, with the Nizam holding the position of Rajpramukh in his State. Following the dissolution of the principalities, a reorganisation of the administrative boundaries was considered necessary. As pointed out earlier, Hyderabad had been a tri-lingual region. As a result of the formation of the States of Andhra, Maharashtra and Karnataka, the three linguistic areas were merged into their respective parent states, thus bringing to an end once and for all the Asaf Jahi dynasty in the Deccan. Soon after police action, the civil administration of Hyderabad was put under the charge of D. S. Bakhle, a civilian from Bombay, who, according to Munshi, worked wonders in reforming the administration.

Munshi's mission in Hyderabad was now over. As Agent-General there he had to function under grave disadvantages. Both the Nizam and his Government had virtually isolated him from the public life in the State. But no discouragement and no obstacle could prevent him from guarding Indian interests in the storm-tossed State with the unsleeping eyes of Argus. His presence in Hyderabad was in itself a source of confidence to the terrorised people. Sardar Patel, who was responsible for giving him this assignment, was full of praise for his performance. In reply to Munshi's resignation of November 6, 1948, the Sardar recalled the unsettled conditions that had existed in Hyderabad when Munshi went there. He worked "unremittingly



and with single-minded devotion to duty” to bring about the State’s integration. “On behalf of the Government”, wrote the Sardar, “I wish to say that we are deeply conscious of the high sense of public duty that induced you to accept this office.....”. On November 21, the States Ministry in its Press Note said that Munshi had accepted the Hyderabad assignment at “great personal sacrifice”.

While performing his public duty in Hyderabad, Munshi, like the rest of his countrymen, suffered a tremendous loss in the death by assassination of Mahatma Gandhi on January 30, 1948. The news came as a shattering blow to Munshi who happened to be in New Delhi at that time. He had met the Mahatma the previous day to apprise him of the developments in Hyderabad. Essentially a man of reason, Munshi was not a hero-worshipper, but, so massive and towering was the Mahatma’s stature and so enduring his achievements that the younger man could not help regarding him as his idolised leader. As we have seen in the previous pages, there were occasions when the two differed, but it was impossible for Munshi to keep himself away from Gandhi. He used to rush to the Mahatma whenever he was in difficulty or distress and took refuge in his counsel as a man takes a plunge into the limpid waters of Mother Ganga for a refreshing bath. He took a prominent part in organising the great leader’s last journey. In a tribute of tears, he wrote : “Sri Krishna had died full of age and divine honours, but by the arrow of an obscure hunter, Socrates had died of poison, the victim of the hatred of his own people. Jesus had died on the cross crucified by the venom of his own people. Gandhiji also died at the hands of his own people, whom he had led from darkness to light. But he died at the height of popularity and power and while enjoying the spiritual leadership, not only of India, but of the whole world. He died in a manner which befitted a spiritual leader of all times, while going to

prayers, with the name of God on his lips. As he lived, so he died—with majesty and grace—and the undying halo of a martyr was about him”.\*

Munshi felt greatly relieved when the Hyderabad burden was taken away from him. With the consent of Sardar Patel, the Chief Minister of Assam, Gopinath Bardoloi, offered him the Governorship of that State, but his heart was in the work of the Constituent Assembly. He declined the offer with thanks and returned to the labours of constitution-making with his customary zeal. He told Sardar Patel that he would go back to his legal profession once the Constitution was adopted.

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\*Op. Cit. p. 109.



# XI

## The Constitution

MUNSHI WAS ONE OF THE chief architects of the Constitution of free India. He was among the most active members of the Constituent Assembly and served on most of its important committees. He was eminently qualified to play a crucial role as constitution-maker. Apart from the fact that he was an eminent and experienced lawyer, he had made a deep study of the various instruments of government from the time the Indian Round Table Conferences were held in London in the early thirties on the country's future constitutional set-up. Besides reflecting a good deal, he had written a lot on the subject. At the instance of Sardar Patel, he had examined the legal and constitutional implications of the Nizam of Hyderabad's claim on the Indian Government for the retrocession of Berar. As we saw in an earlier chapter, Munshi, in collaboration with a few other like-minded lawyers had fought many a battle royal in various courts during the convulsive "Quit India" movement in defence of the liberty of the subject. He had thus acquired valuable experience of the potency of writs as protectors of personal liberty. As constitutional adviser to a number of princes, he had acquired a deep insight into the various aspects of constitution-making. He was also on the panel of legal experts who advised the Congress in its negotiations with the British Cabinet Mission in 1946.

In February 1946, the Chief Justice of Bombay High Court asked Munshi whether he would agree to lead a team of

lawyers to proceed to Japan in order to prosecute the Prime Minister of that country for “war crimes”. Apart from the fact that Munshi disliked any such “post-mortem condemnation”, it was impossible for him to be away from India at such an eventful time. On the eighteenth day of that month, he met Mahatma Gandhi and at his instance rejoined the Congress which he had left some years before to crusade for Akhand Hindustan. The resounding success of the Muslim League in the elections of 1945-46 had convinced him about the futility of striving for a lost cause. The Mahatma exhorted him to devote his time and talent to the task of framing a suitable constitution for the government of free India. On July 10, he was invited by Nehru to join the Expert Committee appointed for the purpose. Besides Nehru as Chairman, the Committee consisted of Sir N. Gopalaswami Ayyangar, Professor D. R. Gadgil, Professor K. T. Shah, Professor Humayun Kabir, K. Santhanam and Asaf Ali.

Munshi at once became busy and by August 4 his first draft of the Constituent Assembly’s rules of business was ready. He applied himself to the even more arduous task of drafting a full-fledged constitution. In this undertaking he received the assistance of V. K. Krishna Menon who, however, left for Enland, leaving the work to be completed all by himself. The preliminary draft consisted of some fifty articles, including a Preamble. It laid down that the Union of India should be a “Democratic Sovereign Republic” and that the sovereign power should be vested in the people of the country. Commenting on this exercise in constitution-making, Munshi says that it gave him a valuable insight into the manner in which the Constituent Assembly could be helped to face the challenges that confronted it. He was among the first to realise the need for the Assembly to assert its right to function as the supreme constitution-making body. He told the House: “It should be laid down definitely by



this House that the Constituent Assembly is one and indivisible”. Such a stand at once reduced to irrelevance the question of the Muslim League’s entry into the Assembly. A set of rules, based largely on Munshi’s draft, was adopted which put an end to all uncertainties about the sovereign status of the Constituent Assembly. Rule 7 made this fact absolutely clear.

The framing of the Constitution was essentially a joint effort. Sir Benegal Narsing Rau, the Assembly’s Constitutional Adviser, was equipped with a phenomenal knowledge of constitutional law while his abilities as a draftsman were equally outstanding. As Law Minister, Dr. B. R. Ambedkar bore the brunt of piloting the Constitution Bill in all its stages in the Constituent Assembly and fulfilled this task with remarkable ability and erudition. Nevertheless, a good deal of the burden fell on Munshi, Sir N. Gopalaswami Ayyangar and Sir Alladi Krishnaswami Ayyar. The three worked like Trojans in close co-operation with each other and were acclaimed by the members of the Assembly as the “Three Musketeers”. As an administrator, Ayyangar had practical experience of the working of the government machinery. His wide-ranging mind and his acute perception were of great value to Munshi in his undertaking. About Ayyar he has written in superlative terms. He was indeed “the most eminent lawyer in the Constituent Assembly”. His industry was “untiring, his knowledge of law massive and his subtlety keen as a razor’s edge. He had the photographic memory of a Brahman with a long ancestry of *Samhita Pathis*, the reciters of the Vedas”.\* Like nearly all the leading participants in the constitutional debates, Ayyar was profoundly influenced by the British political system as propounded by John Stuart Mill and Walter Bagehot.

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 115.

Munshi has drawn brief but penetrating pen-portraits of the leading framers of the Constitution. He had known Dr. Sachchidananda Sinha, the temporary Chairman of the Constituent Assembly, from his student days. Dr. Sinha, who edited the prestigious *Hindustan Review*, had published the young man's article besides writing a "nice letter" to him. His address to the Assembly was both scholarly and stirring. Commenting on his plea to the members "to build for immortality", Munshi wished they could do so. Of Dr. Rajendra Prasad, who was elected President on December 11, 1946, Munshi always spoke with deep affection and admiration. On his assumption of the new office, Dr. Prasad said : "Above all, what we need is freedom and as someone has said 'nothing is more valuable than the freedom to be free'. Let us hope and pray that as a result of the labours of the Constituent Assembly we shall have achieved that freedom and we shall be proud of it". There was a galaxy of Congressmen in the Assembly. Mahatma Gandhi had warned his partymen against stultifying the House by converting it into a one-party body. There were certainly a number of non-Congress members in it such as the formidable Dr. Ambedkar and Dr. M. R. Jayakar, but the Congress claimed as much as 82 per cent of the seats. A sympathetic interpreter of the Constitution wrote: "The Assembly was the Congress and the Congress was India".\* Though exaggerated, his observation portrayed the status of the constitution-making body.

Commenting on the Congress representatives, Munshi wrote: "Of this group, Jawaharlal Nehru, Sardar, Rajendra Prasad, C. Rajagopalachari and Maulana Azad were the acknowledged leaders. Acharya Kripalani and Pattabhi

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\* *The Indian Constitution: Cornerstone of a Nation* by Granville Austin, Oxford, 1946 pp. 8, 9.



Sitaramayya came next in importance". Nehru was indeed the most influential member of the Assembly and was rightly described as its idealist. The Sardar was ruthlessly realistic and never allowed himself to be swept off his feet. Munshi wrote: "Jawaharlal Nehru's vision of a democratic India and Sardar's instinctive perception of the sources from which power and stability sprang provided effective guidelines to us". Rajendra Prasad, who presided over the Assembly deliberations with distinction, was, says Munshi, regarded as a true Gandhian. The fact that he was the members' unanimous choice proved his great popularity. Maulana Azad did not speak much, but whenever he spoke he did so "with superb self-confidence and had the mannerism of what he really was a religious teacher".

C. Rajagopalachari was a man of shrewd "perception and his "clarity of vision" was an asset to the debates. Acharya Kripalani spoke eloquently as the custodian of Gandhian principles. Purushottamdas Tandon, "father of the Hindi movement", was widely respected while Pandit Gobind Ballabh Pant had an "uncanny power of persuasion". Mrs. Sarojini Naidu and Dr. S. Radhakrishnan sent the House into raptures by their matchless eloquence. The eminent economist, Professor K. T. Shah, played the role of a "one-man opposition" while H. V. Kamath, who in the prime of his youth had spurned the prestigious Civil Service, spoke often and with much sense. Sir V. T. Krishnamachari, an able administrator, and T. T. Krishnamachari were noted for their ability and eloquence. Pandit Hridayanath Kunzru, the Liberal leader, spoke with admirable restraint while K. Santhanam packed a good deal of thought and study in his speeches.

Pandit Thakurdas Bhargava was a strong defender of democratic principles, Dr. Shyama Prasad Mookerjee was "perhaps the best parliamentarian". As former Chief Justice of

the Punjab High Court, Dr. Bakshi Tekchand spoke with authority. The distinguished lawyer and jurist, Dr. M. R. Jayakar, was one of the “finest speakers in the country”, but strangely he never felt at home in the Assembly. Like Maulana Azad, Maulana Hafiz-ul-Rahman presented the point of view of the Nationalist Muslims. The Shia leader, Tajamul Husain, spoke indignantly against the communalism of his co-religionists. Choudhry Khaliquzzaman, the Muslim League crusader for Pakistan, suddenly turned a nationalist for sometime and, after making a few patriotic speeches in the Assembly secretly disappeared to emerge later in the “Land of the Pure”. Begum Aizaz Rasul did not follow his example and said that Indian Muslims should thenceforward “identify themselves completely with the national movement”. There were many women members in the Assembly who were second to none either in eloquence or in contributing to the enrichment of the discussions. They included Mrs. Hansa Mehta, Mrs. Ammu Swaminathan, Mrs. Renuka Ray, Mrs. Purnima Banerji and Durgabai, who later became Mrs. Deshmukh. Munshi’s own abilities as a parliamentarian were considerable. Whether he spoke as a legislator or as a constitution-maker, “his dominant purpose was to construct and conserve the best democratic conventions”.\*

There was thus no dearth of able and sagacious men and women who had set out to frame a workable instrument of government for the country. Largely on account of India’s apprenticeship to British rule, most of the constitution-makers were strongly influenced by the political philosophy and the parliamentary institutions of Britain. Drawing attention to this fact, Munshi writes” “From the days of Raja Ram Mohan Roy

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\**Constructive Parliamentarian* by J. B. Kripalani in *Munshi at Seventy-five*, p. 96.



(1774-1833), Indian political thinking was based on the British parliamentary system. Possibly no other aspect of British life influenced the Indians more than the political system of the former". The writings of philosophical radicals like Burke, Bentham and Mill were accepted not only as models of English prose to be cultivated by the Indian elite but also as the foundation for the government of the country. Bagehot was a man of penetrating political perception whose study of the working of the British Government of his time was unparalleled for the depth of its insight. Although his essays, published in book form in 1867 under the title *The English Constitution*, became out of date following the introduction of mass suffrage under Disraeli's Reforms Act of the same year, the treatise is still regarded as a classic.

Bagehot maintained that the "efficient secret" of the English Constitution lay in the "close union, the nearly complete fusion, of the executive and legislative powers". He reiterated this view in a more expressive language, to which attention was drawn by Sir Alladi Krishnaswami Ayyar in the Constituent Assembly. "A cabinet", Bagehot wrote, "is a combining committee—a *hyphen* which joins, a Buckle which fastens the legislative part of the State to the executive part of the State. In its origin it belongs to the one, in its functions it belongs to the other".\* Bagehot was neither a reactionary nor an obscurantist but a man of deep perception. He was firmly of the opinion that the enfranchisement of the masses whom he called "the lower classes" would be ruinous to parliamentary democracy. Such a measure was in his view little short of reposing thoughtless faith in the wisdom of the mob. He was, however, not the only

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\* *The English Constitution* by Walter Bagehot, Thomas Nelson, 1872, pp. 81, 85.

person who feared that “constituency government” would mark the end of parliamentary government.

Another authority on the British system of government, John Stuart Mill, wrote his book on Representative Government in 1861. He was as categorical as Bagehot in upholding the paramountcy of parliament. The duty of the Commons was to watch and control the Government, to censure it freely and to expel the men composing it from office and “either expressly or virtually to appoint their successors” if they abused the trust or fulfilled it in a manner which conflicted with the “deliberate sense of the nation”. In those days, the Commons had not become a captive of machine politics, relegating it, like the Crown and the House of Lords, to Bagehot’s dignified part of the Constitution. The Members of Parliament, no matter to which party they belonged, were free to criticise the Government for its acts of omission and commission. Defeat on the floor of the House did not necessarily involve dismissal from office.

Sir Gilbert Campion in his summary on “Parliamentary Government” in the *Encyclopaedia Britannica* says that in the fifteen years between 1850 and 1865, the government was defeated on an average of ten times in each session, without resigning. Such a thing has become impossible now either in Britain or in any other country which has adopted the Westminster system.

The framers of the Constitution, showed admirable realism in providing for a strong principal government. Munshi, with his deep historical knowledge, was a convinced Centralist. He wrote that, in the absence of a strong Centre, “time and again India had been placed at the mercy of foreign invaders”. A strong and unified authority would not only ensure protection from internal disruption and external aggression, but would also facilitate an orderly economic development of the country.



India, as the area of a single government and of a single economy, was essentially a British creation and it would be imprudent to risk the loss of this inestimable asset by surrendering to regional chauvinists. The British offer of May 1946 was rejected by the Congress mostly because it provided for a Centre without the power to enforce its authority. The partition of the country was a permanent warning against allowing excessive autonomy to the constituent units of the Indian Union.

Munshi was indefatigable in his efforts to construct the Constitution on the basis of a unified polity. He knew that a country of India's continental size could not be governed as a unitary State. He yielded to none in his desire to see the States' many-sided growth—social, economic and cultural. But he ranged himself solidly against the advocates of an extreme form of federation. He had influential support in his drive to create a strong Central authority. While Dr. Ambedkar was in full agreement with him, Sardar K. M. Panikkar, an eminent historian and administrator, made the most devastating attack on the federal principle in its application to India. In his *Note on Some General Principles of the Union Constitution*, May 1947, he made a closely-reasoned plea for a unitary system based on a strong Centre. He characterised as “constitutional orthodoxy” the belief that the future Constitution of India should be based on a demarcation of powers between the Centre and the provinces. He held that the doctrine of the division of powers could be tenable only in times of peace and was not at all good in periods of “national stresses”. Federation was a “fair weather constitution” and it would be a dangerous experiment for India to adopt such a system. There was no need for it, especially after the Muslim League had refused to come into the Constituent Assembly. “I would, therefore”, wrote this perceptive parliamentarian, “very strongly urge that the basic principle of the Constitution should be

a unitary one, with large devolution of powers to the Provinces, and with suitable provisions for the States and other units so desiring to accede in a limited manner to the Centre”.\*

Panikker’s salutary suggestion was accepted by the constitution-making body so that, as Dr. Ambedkar told the House on November 4, 1948, the supreme statute of the land was based on a “dual polity”. There would be the union at the Centre and the States at the “periphery”. He explained, that while all federal systems, including that of America, were cast in a “tight mould”, the Indian polity would be based on both the federal and unitary principle. He said: “In normal times, it is framed to work as a federal system. But in times of war it is so designed as to make it work as though it was a unitary system.” He pointed out that in modern times there was a tendency on the part of the Federal Governments to acquire more and more powers and predicted that a similar thing would happen in India also.\*

Munshi played an active part in getting several Emergency Provisions written into the Constitution to ensure the Centre’s supremacy over the length and breadth of the country. He certainly did not want the arbitrary and undemocratic Section

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\* *The Framing of India’s Constitution: Select Documents*, Volume II, The Indian Institute of Public Administration, New Delhi, 1966, p. 534. The Princely States had not yet been merged into the provinces when Panikkar wrote this note.

\*Ibid Volume IV, pp. 422-24, 433. The United States of America is governed by an ideal federal system and yet, as an authority points out, “nowadays the federal government thinks nothing of passing bills to control practically anything, from rat-catching and potholes in the roads to the siting of new hospitals and drains”. The Governors of the fifty States, who met in August 1980, demanded that the President and the Congress should set up a Commission to consider how a true federal system could be restored. (*The Economist* of London, American Survey, August 30, 1980, pp. 17-18).



93 of the Government of India Act of 1935 to be revived in one form or the other, but he was anxious that the Centre should be free to step into the States during an emergency whether it related to law and order, a constitutional impasse or external threat. He accordingly pleaded for the modification of the provisions relating to the provincial constitution in order to accommodate Article 356 in it. This Article lays down that, on receipt of a report of the Governor of a State that a “situation has arisen in which the government of the State cannot be carried on in accordance with the provisions” of the Constitution, the President of the Union may assume responsibility for running the government of the State. Under Article 352 the President may declare an emergency if he is satisfied that the security of the country or of any part of it is threatened. The next Article empowers the President to give directives to the States about the manner in which they should exercise their executive power. Both Munshi and Sir Alladi Krishnaswami Ayyar influenced the inclusion of Article 354 which imposes a duty on the States to spend certain types of revenue derived by them according to the directions given by the Centre during the period of the emergency. Munshi was also responsible for the incorporation of Article 360 providing for meeting any financial, emergency in the States.

Munshi brought the same thoroughness to bear on the question of providing safeguards for the minorities. He felt that the most important task before the Assembly was to secure the country's political consolidation. Communal representation had done great harm to the country and was largely responsible for its dismemberment. It was imperative that the debris of minority safeguards left by the British should be removed from the body politic to ensure the proper working of the country's free institutions. In this great task of secularising national politics,

Munshi played a key role. Sardar Patel, who presided over the Committee on Minority Rights, bluntly told those who still nursed separatist tendencies and ambitions that they had no place in India. Speaking the Constituent Assembly on August 28, 1947, he said: “Here we are building a nation and we are laying the foundation of One Nation, and those who choose to divide again and sow the seeds of disruption will have no place, no quarter here, and I must say that plainly enough”.\* Pandit Pant was equally plain-spoken. He said : “Let not the lesson of history be lost. It is a lesson which should be burnt deep in the hearts and minds of all minorities that they can find their protection only from the people in whose midst they live and it is on the establishment of mutual goodwill, mutual trust, cordiality and amity that the rights and interests not only of the majorities but also of the minorities depend”.\*

Munshi’s campaign against religious representation and preferential treatment for the minorities was not directed towards achieving Hindu domination. He was convinced that sectional and sectarian demands were as harmful to the communities that made them as to the country as a whole. He advocated secularism, despite his deep attachment to ancient Indian culture, because he believed that it was the right course to follow. His concept of secularism was, however, fundamentally different from that of the advocates of a “godless” State. He believed in religious toleration and in the oneness of all great faiths. The task of persuading the minorities, inured to separate representation, to give it up in favour of joint electorates was not an easy one and yet Munshi conducted the negotiations with

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\* *Constituent Assembly Debates : Official Report: 14-7-1947 to 31-7-1947, Volume IV, pp. 271-272.*

\* *Ibid, January 24, 1947, Volume II, p. 332.*



great confidence in their outcome. The justness of the cause and his own persuasive abilities inspired him. He writes: “Whatever training I had in bringing about consent decrees in courts between cantankerous litigants came in handy, for no two parties were prepared to give up easily the vested interests created by the British. In the tiring negotiations what helped me most was the confidence which Sardar showed by leaving the manoeuvres to me. Whenever any matter under discussion went up to him, I could rely upon his backing me up”. Like the Sardar and Pandit Pant, Munshi played a significant role in getting rid of the pernicious system of communal representation. He has paid a handsome tribute to Dr. Ambedkar for showing “a rare sense of proportion in the discussions” on the subject.

The constitution-makers gave much thought to the creation of the three organs of a modern State—the legislature, the judiciary and the executive. Nehru, the idealist, was, however, anxious that the Constitution should in addition embody the Percilean concept of political liberty combined with social justice. “The service of India”, he declared, “means the service of the millions who suffer”. The Preamble and the chapters on Fundamental Rights and Directive Principles of State Policy do not form a part of the machinery of government set up under the Constitution, but they are regarded as imperative to national well-being and progress. The inspiration for the Preamble came from the American Constitution of 1789. It committed the Indian people to make their country a Sovereign Democratic Republic. In addition, they pledged themselves to secure to all its citizens the blessings of justice, liberty, equality and fraternity. Munshi tells us that most of the leading members of the Assembly were in favour of such a Preamble. The inclusion of Fundamental Rights and Directive

Principles in the statute was influenced by the Prime Minister's predilections and Congress commitment. Like the American Bill of Rights, the Fundamental Rights uphold the right of the people to be governed by the laws they themselves approve and not by the edicts of men over whom they have no control. The question whether these Rights are unalterable like the Laws of the Medes is the subject of much debate as well as the issue whether Parliament is free to amend or abrogate them. Rightly or wrongly, subsequent developments in this country have sustained Dr. Ambedkar's view that the Fundamental Rights embodied in the American and Indian Constitutions are not absolute.\* Munshi has revealed that, while Nehru was keen about such matters, Sardar Patel was indifferent to them. His primary concern was to give the country a strong and stable government. He believed that the political and economic rights of the people could be best secured by this means.

The framers of the Constitution gave much thought to the creation of the organs of the Union Government. They provided for a bicameral legislature, although a section of opinion strongly expressed itself in favour of one-chamber Parliament. We have a Parliament which is expected to be much more than a law-making body. It is an august institution, enshrining not only the sovereignty and dignity of the Indian people, but also their hopes and aspirations. Its functions are much more varied and important than those of passing laws. It should ensure that the executive fulfils its duties and responsibilities strictly in accordance with its directives. In short, it should watch over the interests of the country with the unsleeping eyes of Argus and chastise the ruling party if it fails to fulfil its obligations. It follows that, in order to shoulder such responsibilities, the Members of Parliament should

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\* *Constituent Assembly Debates*, Volume VII, p. 41, Ambedkar's speech on November 4, 1948.



be knowledgeable, upright, honest and forward-looking. In fact, they are expected to be models of eminence.

Much thought was given to the structure and powers of the Supreme Court of India which forms a vital component in the trilogy of the Union Government's powers. An *ad hoc* Committee of eminent jurists, with Sir S. Varadachariar, Chief justice of the Federal Court, was appointed by the President of the Constituent Assembly to make its recommendations on the subject. The Committee included Sir Alladi Krishnaswami Ayyar, Sir B. L. Mitter, ex-Law Member of the Government of India, Sir B. Narsing Rau and Munshi. To meet the needs of an independent India, it became necessary to change the basis and the powers of the Federal Court that had been brought into existence under the Government of India Act of 1935. Munshi was most active in doing this. He believed that the Union Judiciary should be endowed with extensive jurisdiction to ensure the efficient working of the country's legal and political systems. Besides urging that the independence of the High Courts should be fully protected, he said: "Once the units with provincial autonomy are established and linguistic provinces formed, there would naturally arise a tendency for these units to evolve on the lines of petty nation States. The only preventive to such an attempt is, first and foremost, the influence of the Supreme Court as a unifying agency. The Union Government would no doubt exercise a variety of influences, political and financial. But the unconscious process of consolidation, which a uniformity of laws and interpretation involves, makes the unifying unconscious and therefore more stable". He wanted the Supreme Court to be the "crowning piece" of the Constitution. Thanks to the labours of Munshi and others, the Union Judiciary is endowed with powers much wider than those given to any Federal Supreme Court in the world. It is the highest court of

appeal and has original jurisdiction in disputes between the Union and the States and between the States *inter se*.

The third branch of the government is the executive which is of crucial importance since upon it depends the security and progress of the State. Munshi gave a good deal of thought to the vital question of the powers of the President and the Prime Minister when the Constitution was in the making and wrote copiously about it after its promulgation. He never accepted the contention that the President of the Indian Union or the Governor of a State was a mere figurehead, with no functions of any kind to perform. He closely followed the controversy between Jawaharlal Nehru and Rajendra Prasad on this issue. The tendency to make the Indian system of government an imitation of the Westminster system was deprecated, among others, by Rajendra Prasad and Munshi. Munshi was on firm ground when he maintained both during the framing of the Constitution and thereafter that it was impossible to dismiss the Presidential office as of no importance. He had the prescience to realise that the country would long be under the control of a single party, namely, the Congress and felt that adequate constitutional safeguards were necessary to prevent the country from becoming a mono-party-controlled “totalitarian State”. His efforts were, therefore, directed towards strengthening the powers and functions of the President “so that in a crisis he could step in and avert a constitutional break-down at the Centre.....” For this and for other reasons, a number of provisions were made in the Constitution, defining the powers of the President. The pivotal position that was accorded to him was not derived from any particular constitution but was the “result of a compromise arrived at in the context of Indian conditions.”\*

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\* *Pilgrimage to Freedom* by K.M. Munshi, pp. 255-56.



In a closely-reasoned and ably-presented essay on the Presidential powers, Munshi declared emphatically that “no responsible member of the Constituent Assembly stated that the President under the Constitution was to be powerless, nor was it so understood by the Constituent Assembly; on the contrary, several members thought that he was vested with wide powers”. It was considered imperative that the President should not be the “creature of the Parliament” or a “nominee of the party in power at the Centre”. He must be an independent functionary charged with the duty of preventing parliamentary government from becoming parliamentary anarchy or “a majority government from indulging in constitutional excesses”. He was in fact required to be the supreme guardian of the Constitution. Munshi wrote: “If the powers of the President are passed on to the Prime Minister and the President becomes a figurehead, the character of the Union as a quasi-federation will be totally destroyed. The Union will become a unitary one and its powers of maintaining the unity of the country will also be materially impaired”\*\* Munshi certainly did not want the President to be a dictator and called attention to the various constitutional safeguards against any such development, but maintained that the head of State was entitled to exercise “supra-ministerial” powers. He pointed out that much thought and discussion had preceded the enumeration of the President’s powers which were stated in clear and categorical terms. It would be against all canons of logic and reason to say that those powers were not at all intended to be exercised.

The President under the constitution by K.M Munshi, Bharatiya vidya Bhavan, 1963 pp 10,25,36

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\*\* *The president under constitution by K.M munshi, Bharat Vidya Bhavan, 1963, pp 10,25,26,36.*

Munshi and his colleagues in the Constituent Assembly did not have to struggle much to find a model for the Government of the States since it was provided by the Government of India Act, 1935. He had never been an indiscriminate critic of that Act. His experience with it as a Minister in 1937 had convinced him that, with suitable modifications, the provisions relating to the provincial government could well be adopted in the free Indian Constitution. The crucial issue was the scope of the Governor's powers. Nobody in Constituent Assembly wanted him to be absolute as under the British dispensation, but opinion was divided on how much power should be granted to him under the changed conditions. Munshi's views on the subject will be discussed in the next chapter which deals with his role as Minister and Governor.

Munshi was a firm believer in the rule of law. He was anxious that respect for law should not be jeopardised on any account. Mass action, even if it was non-violent, was anathematic to him. Dr. Ambedkar, with his characteristic bluntness, had described earlier in the Constituent Assembly movements like *Satyagraha* and civil disobedience as the "grammar of anarchy", a phrase made famous by the British statesman, Asquith. Munshi, who held equally strong views, wrote: "*Satyagraha*, as a collective activity is certainly unconstitutional and anti-social, paving the way to anarchy. The fact that it is non-violent does not make it less unconstitutional". In fact, we have seen that it is impossible to keep *Satyagraha* within non-violent bounds; even under Gandhiji's leadership, the movement, at many places, took a violent turn".\*

Munshi has every right to claim an exalted place among the principal architects of free India's Constitution. His knowledge and industry and his enthusiasm for the great undertaking were

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\* *Pilgrimage to Freedom* by K.M. Munshi, Volume I p. 196.



an asset to the constitution-making body. The high tribute paid to him by a distinguished judge provides a fitting conclusion to this chapter. Justice N. H. Bhagwati writes: “In the great process of framing the Constitution, Munshi played an important and conspicuous part, taking continuous interest from its very beginning till the end. Behind many of the ideas enshrined in the Constitution lay Munshi’s fertile brain. Future history of India will record to what extent Munshi was right in his ideas, but he will always be remembered for the valiant fight he put up for a strong and United India, a strong Centre and an integrated judiciary and he is assured of a permanent place among the Founding Fathers of our Constitution”.#

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#*An Architect of the Constitution* by N. H. Bhagwati in *Munshi at Seventy-five*, p. 93.

## XII

### Minister and Governor

MUNSHI FOLLOWED MAHATMA GANDHI with deep conviction regarding him as his supreme exemplar, but his own eminence as an intellectual and as a pragmatist prevented him from accepting all the ideals of the Mahatma as sacrosanct. For instance, the Gandhian approach to the communal question left him unconvinced. Equally unacceptable to him were the Mahatma's views on the issue of council entry and constitutional reforms. In July 1933 the Mahatma declared: "My head reels at the very thought of entering Councils for the sake of wanting independence". The Government of India Act, 1935, the last British instalment of transfer of power, was equally sterile in his eyes. While Nehru dismissed it as a "slave constitution", Gandhi delivered the *coupe de grace* to it by telling the Viceroy that he had not read the statute at all.

Not all Congressmen shared this point of view. The predilections of C. Rajagopalachari, for instance, were for working Whitehall's political reforms for what they were worth. Munshi had deeper conviction on the subject. He believed that by taking advantage of the proffered concessions, the Congress would be in a much stronger position to demand a complete transfer of power. He, therefore, looked at the Act of 1935 in an entirely different light and described it as "a great feat of political acumen and constitutional draftsmanship". He believed that the statute furnished a sure stepping-stone to Dominion status and advocated, through press and platform, office



acceptance with a pertinacity that provoked some degree of uninformed criticism.

In the general elections of 1935-37, the Congress won a resounding victory, annexing as many as 711 seats. "The Congress sweep", says Professor Brecher, "is all the more impressive when it is borne in mind that of the 1,585 seats less than half, 657, were 'general' or open, that is, not allotted to a separate, closed electoral group. The balance was fragmented among Muslims, Sikhs, Christians, Europeans, landholders and others".\* Munshi was anxious that this great achievement of the Congress, signifying its matchless hold on the masses, should not be reduced to naught by airily dismissing the Act as useless. He feared that Congress rejection of power would give an opportunity to the reactionaries to capture it and thus unduly delay India's attainment of the ultimate goal. He, therefore, went to the Mahatma to persuade him to withdraw his objection to office acceptance. Gandhi, who had not read the Act, asked Munshi to explain its provisions to him. After listening to him patiently, the Mahatma said: "From what you tell me, I think we could do something with this Act".

The statute conferred on the Governors of Provinces a plenitude of arbitrary powers which, if they so chose, they could exercise to the detriment of the popular ministries. Again, the Congress had long been *persona non grata* with the British bureaucracy and its acceptance of responsibilities of government was apt to provoke jealousies and antagonisms. Besides, the danger of accepting responsibility without power was obvious. In March 1937, the Congress, therefore, directed the leaders of the Congress party in the legislatures not to agree to form popular

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\* *Nehru: A Political Biography* by Michael Brecher, Oxford, 1959, p. 229.

ministries in their respective provinces unless a solemn assurance was given by the Government that the Governors would not be allowed to use their “special powers of interference or set aside the advice of ministers in regard to their constitutional activities”. It certainly did not intend that the Governors should divest themselves of their special powers, but wanted to be assured that they would not be used with impunity to thwart initiative and enterprise of the ministers.

There was a splendid response to the Congress plea by the leaders of the British Government. On June 17, 1937 the Prime Minister, Neville Chamberlain, told the House of Commons that the Governors were expected to use special powers with “discretion and restraint”. He was sure that there was a genuine desire in the House that “provincial self-Government in India should work, and work well. I cannot believe that this is possible unless we in this House frankly recognise the new distribution of responsibilities”. Five days later, on June 22, the Viceroy, Lord Linlithgow, gave a detailed elucidation of his Government’s stand on the issue. In a message, he explained that there was no “foundation for any suggestion that a Governor is free, or is entitled, or would have the power, to interfere with the day-to-day administration of a province outside the limited range of the responsibilities specifically confined to him. Before taking a decision against the advice of his ministers even within that limited range a Governor will spare no pains to make to clear to his ministers the reasons which have weighed with him in thinking both that the decision is one which it is incumbent on him to take, and that it is the right one”.\*

These two authoritative statements clinched the issue in favour of Congress forming its ministries in July in Bombay,

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\* Linlithgow's Speeches and Statements, Government of India, 1945, p. 30.



Madras, the Central Provinces, the United Provinces, Bihar and Orissa. Sometime thereafter, the North-West Frontier Province also came under its control. Many months later Congress coalition ministry was formed in Assam. The party thus gained a commanding position in eight out of the eleven British Indian provinces. The fate and future of India would perhaps have been different if the Congress had not given up its governmental responsibilities in October 1939 on the issue of Britain's war and peace aims in relation to the Indian demand for independence. With one or two exceptions, the ministries worked with great zeal, ability and understanding, thus demonstrating the existence of "constructive statesmanship in the Congress ranks". C. Rajagopalachari in Madras, Gobind Ballabh Pant in the United Provinces, Bal Gangadhar Kher in Bombay and Dr. Khan Sahib in the North-West Frontier Province rose to great heights of statesmanship in guiding the destinies of their provinces. In two of the three non-Congress provinces, the popular ministries, none of which owed allegiance to the Muslim League, were also led by forward-looking men. The affairs of Sind were, however, in a constant state of flux.

There was some difficulty in the choice of the leader of the Congress legislature party in Bombay. Normally, that distinction should have belonged to K.F.Nariman, a Parsi patriot, who had won national reputation by his bold exposure of the venality of British bureaucrats in Bombay. He had been one of the most popular Mayors of the city and had won the hearts of the citizens by his tireless labour in their cause. He stood high in the Congress hierarchy and was esteemed by the national leaders. But his astonishing behaviour in 1934 at the time of the elections to the Central Legislative Assembly had gravely prejudiced his candidature for the

leadership of the Bombay ministry in July 1937. In 1934, the Congress decided to contest two seats in the Central legislature from the city of Bombay and nominated Dr. G. V. Deshmukh and Nariman as its candidates. In October, Nariman backed out of the elections at the eleventh hour on untenable grounds with the obvious intention of ensuring the victory of his friend, Sir Cowasji Jehangir, a rival of Congress candidates.

Munshi, who had earlier declined to stand as a candidate, was now pressed by Sardar Patel to step into the breach. Both then and for a long time later, Bombay was the strong-hold of the Congress and there was every reason to believe that both Deshmukh and Munshi would emerge victorious. But Nariman, who was then the President of the Bombay Provincial Congress Committee, went to the polling booths and advised the voters in certain wards to cast both their votes to Deshmukh, saying that Munshi had already secured the winning votes. Thanks to these manoeuvres, Sir Cowasji won by securing 18,140 votes as against Munshi's 17,015. The defeat of the Congress candidate caused countrywide dismay because Bombay was long regarded as the most incorruptible fountain of Indian nationalism. Nariman was not forgiven for his indefensible role in this episode. He had further queered the pitch for his candidature to the Bombay Premiership by his strictures on Mahatma Gandhi's leadership in a booklet published by him in 1932. Munshi declared that he would not serve in any ministry if it was to be led by such a person.\*

A section of opinion favoured the elevation of Munshi to the Bombay Premiership. No less a person than Sardar Patel considered him the best person for that position. Besides Nariman's campaign against him, the Marathi speaking Congress

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\* A brief reference has been made to the Nariman episode in Chapter 5.



legislators were, however, unlikely to opt for Munshi. It was, therefore, decided that Kher should lead the party in the Bombay Legislature. Munshi held his new leader in great esteem as a man of high ideals and as one who sincerely believed in and practised Gandhism. Besides, Kher was a great Sanskrit scholar, which provided a further common ground for the two to come closer together. While the path was cleared for Munshi to enter the ministry, a great surprise awaited him about the portfolio. He wanted both the Law and Education portfolios to be placed under his control, but he was persuaded to take charge of the Home Ministry. He cheerfully accepted his new responsibility, although ministership involved a tremendous financial loss. The Congress ministers pledged themselves to draw a monthly salary of Rs. 500/-. The Mahatma would have liked them to take only Rs. 75/- a month. Munshi did not waste even a moment in assessing the financial implications of his new position. He rejoiced that he had as his colleagues in the ministry a team of talented men, all determined to ensure the success of Congress experiment in running the government. Mohamed Yasin Nuri, a lawyer from Ahmedabad and an independent legislator, was the Muslim member of the ministry.

Consisting of like-minded men, the Kher Ministry functioned as a disciplined team, taking decisions on the principle of collective responsibility. Munshi has described how the cabinet worked. "Before every meeting of the Cabinet", he writes, "the Ministers met informally, discussed matters on the agenda and took decisions. When the Cabinet met later, with the Governor in the chair, the deliberations were formal and colourless. The Minister in charge carried on an undisturbed monologue and the Governor gave his assent with a formal

phrase or two, accepting the position with an understanding smile”.\* Both Lord Brabourne and his successor, Sir Roger Lumley, were men of understanding and were determined not to provoke a constitutional crisis in their dealings with the Kher Ministry, although they could have found ample pretexts for doing so. They fully shared Whitehall’s and New Delhi’s anxiety to ensure the success of the new system of provincial self-government. As Munshi repeatedly testified, the British personnel of the bureaucracy was equally keen on not frustrating the experiment.

Munshi was put in charge of constitutional matters pertaining to the working of the Government. He could be trusted to guard the rights, privileges and immunities of the popular ministry with extreme vigilance. Within a fortnight of his taking charge of the Home portfolio, he issued an official communique, calling upon the public to appreciate the significance of the Congress coming into power. It promised to protect the civil liberties and fundamental rights of the people and to remove the hardships they had suffered under emergency measures. At the same time, it asserted the right of the Government “to take all steps to prevent the dissemination of class hatred and ideas involving the use of organised or unorganised violence in the furtherance of any object”. It was a clear warning to the disruptionists, communal and other, that their efforts to bring the popular government into disrepute or to hamper the province’s economic progress would not be tolerated. Munshi was a firm believer in the inviolability of law and order and was prepared to go to any length to strengthen it. Did not the great German, Goethe, say: “I would rather commit an injustice than suffer disorder”.

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume 1, p. 48.



Munshi and his colleagues were determined to function with untrammelled freedom as if they were a Dominion cabinet. He firmly resisted the suggestion that the ministry's correspondence with the Secretary of State for India and the Governor-General should be routed through the Governor. He maintained that the Governor was only a constitutional head of the government so that the real executive authority rested with the Council of Ministers. He pointed out that the Dominions did not follow the procedure that was sought to be prescribed for the Bombay ministry. He showed similar eagerness to protect the powers of the ministry by frankly telling the Public Service Commission of Bombay that it was wrong in claiming powers which it was statutorily precluded from exercising. The Public Service Commission, he argued was created to enure impartial recruitment to Government service and to protect a "popular ministry from constant charges of favouritism". This did not mean that the Commission could play with impunity the "role of a monitor of the Government". Constitutionally, it was no more than a committee brought into being by the Government and "vested with certain statutory powers for the attainment of a particular object".

On delicate issues, involving the susceptibilities of highly-placed men, Munshi could be trusted to adopt the most sophisticated techniques to achieve his end. Sir Kenneth Kemp, a friend of his, was the Advocate-General of Bombay. The Kher ministry desired to have an Indian in his place. Munshi told the Governor, Sir Roger Lumley, that he had absolute confidence in the impartiality of Sir Kenneth who was required to give his legal advice to both the Governor and the ministry. It would, however, be difficult for him to convert his cabinet colleagues to his point of view. He, Munshi, would be much embarrassed in consulting Sir Kenneth on all those occasions when the Governor and the Ministry did not see eye to eye. The

Governor did not, however, see the need for a change. Thereupon the Home Minister placed his problem before Sir Kenneth himself who, appreciating his predicament, generously tendered his resignation on December 2, 1937. Munshi had the supreme satisfaction of having his old friend and comrade, Motilal C. Setalvad, installed in the vacant office.

Munshi showed similar tact and adroitness in another elicited matter, involving the release of a young man, V. B. Gogte, who was undergoing life imprisonment for making an attempt on the life of Sir Ernest Hotson, Acting Governor of Bombay. Gogte was a college student when he launched himself on such a mad adventure. Munshi's plea for his release was turned down by the Governor, Lord Brabourne, who held that "attempts at assassinating a Governor are a serious matter." Munshi adopted a different *modus operandi* and wrote directly to Sir Ernest, who was his friend, appealing to him to agree to the release of the young man. The Englishman rose to great heights of nobility and wrote to the Viceroy, saying that he would have no objection to Gogte's release. The Governor's scruples on the issue now ceased to be relevant. Munshi met Gogte in jail and was impressed by his intelligence. Before announcing his release to the Legislative Assembly, the Home Minister took him to his residence privately and kept him there as his guest for two days. To the surprise and delight of the members, he not only announced the glad news of Gogte's release but also told them that the young man could be seen sitting in the visitors' gallery and listening to the debate. At Munshi's request, the Chief Justice, Sir John Beaumont, permitted Gogte to appear for the law examination. He later became a successful lawyer and leader of the Opposition in the Maharashtra Legislative Assembly.



Churchill denounced communism as the disease of the soul. Munshi did not go that far, but was convinced that the strategy of violence and subversion was wholly unnecessary to promote social justice. Attempts were made to draw him into the charmed circle of the devotees of Marxism but without success.\* When he took charge of the Home portfolio, he was faced with the two-fold task of securing the release of detained communist leaders and to prevent lightning industrial strikes. When he studied the voluminous official files, he found that it would not be easy to secure the Governor's permission to set these men at liberty. Nehru was in a hurry and peremptorily asked Munshi to take immediate action. Mahatma Gandhi, who fully appreciated his predicament, advised him to deal with the problem as best he could. Munshi eventually succeeded in carrying the Governor with him and in rescinding the orders passed on the communist leaders.

Munshi rose to the full height of masterful leadership when dealing with the industrial unrest in the city of Bombay which had long been the communist stronghold. Soon after the Kher ministry took office, it issued a statement declaring its determination to maintain industrial peace as part of its programme to promote the many-sided progress of the province. Legislation would be introduced to minimise strikes and lockouts. The new law would give full protection to the workers' interests. At the same time, they should endeavour to acquire strength by running their organisation "on genuine trade union lines". Besides releasing the left wing labour leaders, the Government appointed an expert body to study the whole question of wages and work organisation and to make suitable recommendations to it. At a private meeting with a prominent

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\* *I follow the Mahatma* by K.M. Munshi, p.94.

communist leader, Munshi earnestly pleaded for allowing the ministry to proceed along these lines peacefully. He was, however, told that “as a revolutionary body”, the Communist Party “must remain the sole judge as to when and how to strike”. Munshi accepted the challenge. Effective police protection to loyal workers considerably brought down the frequency of lightning strikes. Drawing a lesson from this episode, Munshi wrote later that no indulgence should be shown to the communists where the vital issue of law and order and the stability of the country was involved.

Munshi's great gifts as an able and resourceful administrator were brought into full play when quelling communal violence in the Bombay province. The Bombay city had long been the cockpit of communal feuds. For instance, in February 1874, the peace of the city was undermined following violent clashes between Muslims and Parsis. The manner in which he handled the two serious Hindu-Muslim riots that occurred during his Home Ministership thoroughly exposed the hollowness of the propaganda that Indians were congenitally incapable of dealing with such situations. The first riot took place on April 17, 1938. When Munshi was informed about it at 8 p.m. he rushed to the affected areas and, after studying the situation there, went straight to the office of the Commissioner of Police where he issued firm orders suppressing the violence. Curfew was promptly clamped down in the troubled areas, the assembly of more than five persons was banned, and no man was allowed to carry lethal weapons. In addition, over a thousand suspected men were rounded up and held in detention in an improvised prison. Orders sanctioning these measures were printed and pasted on all important premises. Most citizens of Bombay woke up to be told that there had been communal disturbances the previous night.



The second riot took place on August 1, 1939, when the Muslim League organised a huge procession against the introduction of prohibition. The violence that ensued was promptly suppressed by the police whose action was later justified by judicial verdict. Munshi was prepared to go to any length to put down disorder. When the Chief Justice of Bombay questioned him about the legality of his orders, he replied that his duty was to preserve peace. He had great faith in the efficiency of the Bombay police which served him with exemplary loyalty. He made no secret of his admiration for the force. On one occasion he said: "I have been accused by many Congressmen of supporting the police too strongly. I told them that this was only natural as I am now a policeman".\* Writing in later years about his experience as the guardian of the peace of the province, Munshi said that the communal riots were essentially a law and order problem. Prompt, impartial and stern action by the police could produce the desired results. N.P.A. Smith, who served under Munshi and later became Director of the Intelligence Bureau of the Government of India, was all praise for the Congress Home Minister. He wrote: "The British eye is at all times keen to spot discriminate treatment. I was impressed instead by Mr. Munshi's determination to adhere rigidly to the completely impartial, if firm, principles he had himself formulated. My respect was the greater in that the communal nettle was one from which the British themselves have always somewhat timorously shrunk."

Munshi was a busy smith whose anvil never remained idle. He reorganised the Bombay City Police, fought corruption in the ranks of the force and entrusted it with the enforcement of prohibition laws. Based on the recommendations of a

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\* *A Farseeing Administration* by K.L. Panjabi in *Munshi at Seventy-five*, p. 105.

Committee presided over by himself, he reformed the Criminal Tribes Settlements in the Bombay province, granting their members more freedom of movement and helping them to overcome their lawless tendencies. He Indianised the Royal Western India Turf Club and made it possible for the Indian horse and jockey to come into their own. He was responsible for stimulating the horse-breeding industry in the country. It was in the fitness of things that the nationalised Turf Club established an annual event, the Munshi Cup Race.

Munshi was instrumental in putting through the Industrial Relations Act and in the establishment of the first Industrial Court in the country. He was among the first to realise the inevitability of Bombay's expansion and to advocate the planning of Greater Bombay. He also played an active part in getting the necessary legislation passed to facilitate the return of the confiscated lands to the peasants who had lost them during the civil disobedience movement. He was a man of restless disposition, always pulsating with new ideas and planning new schemes for the public good. There is no doubt that he would have accomplished much more if the Kher ministry had lasted longer than for only twenty-eight months.

In a tribute to Munshi's stewardship of the Bombay Home ministry, W. W. Russel, a member of the European group in the provincial legislature, said that many Englishmen, who had stayed in the province for a longer period than he were of the opinion that "Bombay has never been served by such a strong and capable Home Minister as Mr. Munshi proved himself to be from 1937 to 1939". He added "with all sincerity that Mr. Munshi has by far the clearest brain of all those that I have met; furthermore, he understands the vital necessity of preserving law



and order during these anxious days of transition from foreign Government to National Independence”.\* Similar high praise was bestowed on his administrative abilities by fair-minded and knowledgeable Indians.

After the outbreak of the Second World War in September 1939 and the resignation of Congress ministries in the following month, Munshi, like the rest of his partymen, had the disconcerting experience of having to wander in the political wilderness almost till the advent of national freedom. His admission to the Union Cabinet in February 1950 was in the fitness of things, but the fact that he, a lawyer, an educationist and a man of letters, should have been called upon to take over the Food and Agriculture Ministry surprised both him and others. The Ministry had threatened to become the graveyard of reputations. The state of the country's agricultural economy was dismal and food scarcity threatened to become chronic. During the preceding four decades, the population had increased by 39 per cent with no corresponding rise in foodgrain production. There was thus a notable decrease in the *per capita* availability of foodgrains from internal sources.

The separation of Burma from the Indian subcontinent in 1936 had reduced internal supplies by 1.3 million tons. The partition of the country in 1947 further aggravated the problem of food supplies, forcing the country to lean heavily on imports. Foodgrain imports in 1948 and 1949 were of the order of 2.8 million tons and 3.7 million tons, respectively. Supplies of cotton, the mainstay of the textile industry, also presented serious difficulties. The best cottons of undivided India were grown in the fertile lands of the Punjab and Sind. On partition, a considerable portion of this area fell to the share of Pakistan,

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\* *Munshi : His Art and Work*, Volume 11, pp. 142, 143.

leaving the Indian Union with only one-fifth of undivided India's irrigated area under cotton. Munshi was thus faced with the tremendous task of helping the country to become self-sufficient in both food and fibre.

When he took charge of the Ministry the scene that unfolded itself before him was disheartening, but he was a man of considerable resourcefulness and optimism. He saw that, frustrated by continual failures, the officials of his Ministry had become dispirited and sought to hide their defeatist attitude behind redtapism. He told them that in an essentially agricultural country like India, blessed with a network of large and perennial rivers and with assured rainfall in large parts of it, self-sufficiency in foodgrains and in other farm produce need not be dismissed as a chimerical goal. He imparted order and cohesion to the various departments of the Ministry which had long become accustomed to function like Plato's team of horses, each department pulling in its own direction. Besides infecting his officers with his own enthusiasm, he laboured indefatigably, thus inspiring them with a sense of mission. He brought considerable realism to bear on grappling with the country's agrarian problems. The system of controls had become an unmitigated curse. It stimulated a continual rise in foodgrain prices, encouraged the States to exaggerate their deficits and to minimise their surpluses, forced the farmers to divert their lands to the production of cash crops, and put a premium on hoarding, black-marketing and corruption. It, in fact, encouraged the psychology of scarcity among the people. In 1947-48, Munshi had supported Mahatma Gandhi in his plea for lifting controls, but he was a pragmatist. He knew, as he told the Prime Minister in his detailed letter of March 14, 1952, explaining his views on the need for a new national agricultural policy, that controls were a great disincentive to higher production. But in the prevailing situation it would have been



suicidal to do away with them before making plans for higher output. Unfavourable rains for two consecutive seasons forced him to be careful on the question of controls.

He was, however, firmly opposed to the Planning Commission's suggestion for tightening the food controls by introducing an integrated price structure. He wanted a free flow of marketable surplus of foodgrains from the rural to the urban areas. The Government had taken the responsibility of feeding 143 million people in towns and cities through ration shops and he did not want this responsibility to be enlarged. The Minister was all the time seeking ways and means of overcoming the tyranny of controls. He began by decontrolling gram, which was produced in surplus only by the Punjab, Uttar Pradesh, Madhya Pradesh and Rajasthan. In 1950, it was being sold at about Rs. 9 to Rs. 11 per maund in the Punjab and Rajasthan, but was available in Bombay at the high price of Rs. 30 and in Madras at Rs. 60. In August of that year gram was decontrolled by fixing a ceiling price of Rs. 12 per maund in the surplus areas and Rs. 16 in the others. A similar bold step was taken about sugar by introducing a two-price system. Some ten lakh tons of sugar were procured from the sugar mills and distributed among the ration shops in the country to be sold at controlled prices. The industry was free to sell the remaining output in free market at any price. The policy of selective control stimulated sugar production which increased from 9.8 lakh tons in 1949 to 11.2 lakh tons in 1950, the figure for 1951 being 15 lakh tons.

Munshi, however, gave concentrated attention to the question of attaining a self-reliant agricultural economy in as short a period as possible. The Prime Minister had said in 1949 that the goal of self-sufficiency in food should be reached by the end of 1951. It was undoubtedly an over-ambitious target, but

efforts on a war footing should be made to attain it. Towards this end, Munshi convened a conference of the Chief Ministers of all the States and appealed to them to give top priority to food production. He told them that the Grow More Food campaign started during the Second World War had yielded no results for lack of the necessary drive. He reorganised the Indian Council of Agricultural Research and gave a new constitution to it, making it a “super-university of research and extension”. He told the research officers of this institution that in a period of grave food crisis extension work was far more important than fundamental research.

Munshi initiated far-reaching projects of Land Transformation—a term coined by himself. He defined this term in August 1950 as “the utilization of land on a rational basis so that the available resources of land, water and livestock are developed to their maximum potential and the population assured of a decent standard of living”. While in Rome, Munshi discussed with agricultural experts the feasibility of setting up a Land Development Corporation in India. The aim of such a body, as it functioned in the Netherlands, for example, was to acquire, reclaim and cultivate land; to take land on hire for cultivation; to settle people on the reclaimed land; to develop irrigation; to manufacture tractors or to provide tractor service; to sink-wells and tube-wells; to manufacture and improve pumps; to import fertilisers and agricultural equipment; and to adopt a progressive forest policy.\* The project was to be started with the assistance of the International Bank, but nothing came out of it due to Munshi’s premature withdrawal from the

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\* Munshi’s letter of March 14, 1952, to the Prime Minister published in book form with the title *Problems of Food and Agriculture* with a preface dated May 5, 1973, by Mrs. Lilavati Munshi, Bharatiya Vidya Bhavan, 1973, p. 55.



Union Ministry. He also encouraged the formation of a Land Army or Bhoomi Sena which was inaugurated by the President of India, Dr. Rajendra Prasad. *Shramdan* or free gift of manual labour for public causes became the offspring of this movement and soon attained much popularity.

Development of animal husbandry was given its rightful place in Munshi's programme of integrated agricultural production. To Mahatma Gandhi the cow was the "poem of pity"; to his crusading follower it was "mother cow", while the buffalo was an "aunt"! His solicitude for the bullock was a equally great. The animal carried on "its patient shoulders the heavy burden of India's agriculture". He set up a Board to reorganise the *Gowshalas*, numbering some 3,000, and introduced a village-level scheme to eliminate useless animals and to encourage the breeding of improved cattle for milk and draught purposes. Nothing escaped his vigilant eye. Under his inspiration, the Union Government sanctioned large sums of money for the development of fisheries.

Munshi's heart bled at the sight of more and more trees falling to the axe of the land-hungry man. "Wherever I go" he told the Prime Minister in his letter of March 14, 1952, "I find that trees are being cut down thoughtlessly by the villagers and the process practically connived at by the authorities". He wished "ecological studies and the relation of our national existence to our land, water, rivers and forests is more closely studied". He popularised tree-planting and repeatedly called upon his countrymen to become tree-minded, reminding them that their venerable civilization was born *in* the mighty forests of ancient India. *Vana Mahotsava* or tree planting has now become an annual festival in the country. He formulated a new national forest policy and raised the Forest Research Institute to international status by intensifying and enlarging its activities. He

called upon the farming community to launch a vigorous drive against soil erosion and drew up a comprehensive scheme for arresting the spread of the Rajasthan desert.

The Food Minister exhorted his countrymen not to be enslaved by their food habits, especially in a period of scarcity. To wean them from depending heavily on the cereals, he tried to popularise the consumption of subsidiary foods. In this great undertaking, he was ably assisted by his wife, Mrs. Lilavati. Both suggested that one day in the week should be observed as a non-cereal day. Thanks to Mrs. Munshi's indefatigable labours, the movement caught on. It became popular, following the establishment of the Annapurna cafetaria under the auspices of the All-India Women's Food Council, which was specially set up through Mrs. Munshi's initiative. The first such non-cereal restaurant was established in the country's capital. It became popular in Bombay and Pune.

Munshi held charge of the Union Ministry of Food and Agriculture for a brief period from February 1950 to May 1952 and yet the impact of his leadership was felt by all its departments. He needed longer time to ensure the success of his various schemes. It was not a simple task to galvanise five million big and small farmers spread all over a country of India's continental size. Since agriculture is a State subject, he could only, to borrow the famous words of Walter Bagehot used in another context, advise, encourage and warn the State Governments on agrarian problems. *Vana Mahotsava* provides an example of how many of his original ideas have caught the imagination of the people, but without corresponding purposeful action. The destruction of trees and forests goes on unabated. Along with it there is an alarming depletion of the country's precious wild life, for the protection of which Munshi pleaded with such eloquence and pertinacity.



Although during his tenure as Union Minister he received more brickbats than bouquets, Munshi had the satisfaction of knowing that many of the moves he had made had become an integral part of the national agricultural policy. Dr. Rajendra Prasad, who had held the food portfolio himself, could make a correct appraisal of Munshi's achievements. In a rare tribute to the retiring Minister, the President said thus on February 14, 1952: "I know with what anxieties you had to work these last twelve months, often in the face of unhelpful criticism. It was in no small measure due to your initiative and drive that the tragedy of Bengal was not re-enacted in Bihar last year and in Gujarat this year. The public will no doubt appreciate your efforts when it becomes aware of what has been accomplished, but I feel that I ought to express my own thanks to you and through you to all those who have co-operated with you in bringing about this improvement". It was Munshi's measures which paved the way for the "green revolution" to sweep the Indian agricultural economy in later years, making it possible for this country to attain self-sufficiency in food.

In the first week of May 1952, the Prime Minister called Munshi and offered him the Governorship of Uttar Pradesh, the largest State in the country. Munshi was somewhat taken aback at the offer. In September of the previous year, he had decided to shed his ministerial responsibilities on a convenient date in order to return to his first love, law and literature. Both. Dr. Rajendra Prasad and Mrs. Lilavati Munshi were strongly of the opinion that he should agree to shoulder the gubernatorial responsibilities. His esteemed friend, Sir N. Gopalaswami Ayyanger, was, however, of a different view. He reminded Munshi that Pandit Gobind Ballabh Pant, a man with intimidating personality, was the Chief Minister of Uttar Pradesh and apprehended serious differences between the two. Munshi did

not share this fear and assured his friend that he and Pant could get on very well.

What perhaps decided Munshi to accept the premier's offer was his emotional attachment to Uttar Pradesh. It was not merely the largest State in the country, but' was redolent of historical memories. Munshi was profoundly versed in ancient India's literary and cultural achievements, besides being a creative writer *par excellence*. Uttar Pradesh, which had made a rich contribution to the country's ancient and medieval civilization, had great attraction for him. Broadcasting from the Lucknow Station of All-India Radio on June 4, 1952, he expressed his happiness to be in the State. He said: "Though not born in Uttar Pradesh, I have lived here, apart from temporary visits, in imagination, study and sentiment for a very long time". After recalling the importance and the splendour of places like Lucknow, Agra and ancient Kannauj, he spoke ecstatically about those massive and towering mountains, the Himalayas. "Here you have", he said, "the Himalayas of the 'Divine Soul', the Lord of the Mountains, the source of all the security, plenty and beauty in India. A slice of it was ancient Aryavarta, with Naimisharanya, from where sprang the streams of truth and beauty which have helped our race to a higher life of the Spirit at its heart".\*

Munshi did not anticipate any conflict with the U.P. Council of Ministers. He had known Pant from 1937 when the Congress undertook the responsibilities of government in most of the provinces. Pant's successor, Dr. Sampurnanand, was also well-known to him. Again, a number of Ministers were

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\**Sparks from a Governor's Anvil* by Dr. K. M. Munshi, Vol. I, Information Directorate, Uttar Pradesh, Lucknow, July 1956, pp. 2, 3.



acquainted with him. Munshi thus embarked upon his new office with the determination to make it eventful. His views on the powers of Governor were well-known. As we saw in an earlier chapter, he was among the most active participants in the deliberations of the Constituent Assembly and had been of great help to Sardar Patel in sponsoring the Bill on the States constitution. The constitution-makers had no hesitation in adopting the Government of India Act, 1935, as the model for the State's constitution. The crucial issue was, however, the scope of the Governor's powers. None, of course, wanted to arm that functionary with a plenitude of discretionary powers and special responsibilities and with the right to exercise his individual judgment. There was a consensus that the Governor of a State in free India should essentially be a constitutional head.

Some members, however, went to the extreme of suggesting that the Governor should be no more than an ornamental head instead of being the guardian of good and democratic government in his State. Speaking in the Constituent Assembly on May 23, 1949, Sir Alladi Krishnaswami Ayyar maintained that, with the introduction of responsible government in the States, the role of the Governor would be strictly constitutional. He, however, suggested that only men of "undoubted ability" should be selected. "The central fact to be remembered", he said, "is that the Governor is to be a constitutional head, a sagacious counsellor and adviser to the Ministry, one who can throw oil over troubled waters".\* Dr. Ambedkar did not mince words when he said: "The position of the Governor is exactly the same as the position of the President". He left none in doubt about the implication of this

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\**Constituent Assembly Debates: Official Report*, Volume 8, pp. 431-32.

dictum. He said : “The Governor under the Constitution has no functions which he can discharge by himself, no functions at all”.

There was, however, an influential section of opinion, which felt the need for endowing the Governor with the ultimate authority as a safeguard against misrule. Sardar, Patel recalled that many Prime Ministers of Provinces and others with much experience with the constitution, considered it dangerous not to provide for an emergency. Sir Benegal Narsinga Rau, an eminent jurist, observed that for the most part, the Governor would act on advice, but there were certain functions where even a responsible head had to exercise his discretion, e.g. the choice of the Prime (now Chief) Minister, the dissolution of the legislature and so on. “In the present circumstances”, he wrote, “similar discretion may have to be vested in the Governor in the matter of the protection of the minorities and maintenance of law and order”<sup>\*</sup>.

Munshi held strong views on the subject. He feared that unfettered cabinet government was apt to degenerate into executive despotism. He was anxious that responsible government should not be divorced from good government and wanted the Governor to be entrusted with the duty of ensuring such a dispensation. He fought hard in the Constituent Assembly for clothing the Governor with effective powers and at one stage sponsored an amendment which practically reproduced Section 93 of the Act of 1935. This Section empowered the Governor to issue proclamations in the event of a breakdown of the constitution. Long after he laid down the office of Governor and after carefully watching the change in the calibre and the style of functioning of the Governors, he found that his conviction

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<sup>\*</sup> *Indian Constitution in the Making* by Sir Bengal Narsinga Rau, Allied Publishers, 1963, p. 170.



about the need for looking upon the Governor as the guardian of responsible and efficient government was sound. “The President and the Governors”, he wrote, provide a network of unified power for the whole country. It is of the highest importance, therefore, to maintain it. The Governor is the agent of the President and, *qua* the administration of the State, the constitutional head with certain express powers”# . As in the case of the President, the Constitution defines the powers of the Governor at length. It was Munshi’s considered opinion that in a written constitution if the text was explicit it was conclusive and could not lend itself to any wishful interpretation.

Munshi was the Governor of Uttar Pradesh from 1952 to 1957. During that period he had no occasion to test his beliefs about that office. There was complete rapport between him and his Council of Ministers. The ministers respect him for his erudition and experience as an administrator and were impressed by his profound knowledge of constitutional law and legal principles. A man of his versatility and wide ranging vision was an undoubted asset to them. Munshi in his turn fully recognised the responsibilities of his Council of Ministers. Pant, the Chief Minister, was a man of towering personality, with considerable administrative experience, besides being a great stabilising force in his State. His successor, Dr. Sampurnanand, was not only a scholar but also a politician of considerable weight and shrewdness. The other members of the Council of Ministers were also men of ability. They were tried patriots and were eager to serve the State with diligence and in the lofty spirit of self-abnegation. Munshi toured the State extensively, came into contact with the various elements of the population, and gained a first-hand knowledge of their wants and wishes. He drew up detailed notes on the basis of the impressions gathered by him

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#*Pilgrimage to Freedom* by K. M. Munshi, Volume 1, p. 270.

and sent them to the ministers concerned. His good offices in bringing the people closer to the cabinet through this medium were appreciated. “He performed”, say the Editors of the Volumes on Munshi, “to the full the political function to be the constitutional head of the government. He maintained the dignity, the stability and the collective responsibility of the Government and exercised substantial and helpful influence”\*.

As Chancellor, Munshi gave a good deal of his time and attention to the affairs of the universities in the State which were seven in number in his time. They were Allahabad university,. Banaras Hindu University, Aligarh Muslim University, Lucknow University, Agra University, Roorkee University and Gorakhpur University, the last-named university coming into existence in 1957. Munshi liked this kind of work and was conversant with it since his election as Fellow of Bombay University as far back as 1926. He had in fact made a penetrating study of the history of education in India and had read with deep interest the abiding contribution made by such celebrated seats of learning as Takshasila, Nalanda, Vallabhi, Vikramasila and Kanchi to the extension of human knowledge. He admired the manner in which mind and matter had achieved a complete synthesis in ancient Indian learning. It was, of course, impossible to resurrect the past but he thought that there was much scope for reforming the current system of higher education. He was convinced that, as Chancellor, he was under no constitutional obligation to carry his Council of Ministers with him in whatever reforms he proposed to introduce in the realm of higher education in the State. His stand, explained in a detailed note, was supported by the Chief Minister, Pandit Pant.

Munshi strove hard to transform the universities within his jurisdiction into temples of learning. He also wanted them to be

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\* Munshi: His Art and Work, volume II, pp.339-40.



the top storey of the educational structure as well as the seed-beds of ability, continually turning out a body of talented young men and young women to take up the country's leadership. Besides teaching a wide variety of modern skills, they should stimulate the powers of the mind and should become the "sanctuaries of the inner life of the nation". In short, he wanted Indian universities to be true to the ideals of the past and, as institutions of higher learning, seek to transcend time and geography. He naturally felt that they should be untrammelled in regulating their own affairs in order to fulfil this exalted mission. Indeed, university autonomy was an article of faith with him. Addressing the Allahabad University Staff Club on August 6, 1952, he said: "You can take it from me that am a staunch believer in the autonomy of a university. In the field of learning, men should be free to pursue their own line of thought, or to express their own opinions, so long as they are on an academic level. This is the essence of democracy, and in so far as it lies in me, I have always fought for, and will fight for autonomy of the universities".\*

At the same time, Munshi expected the teachers to attain the highest proficiency in their profession and to dedicate themselves to the task of preparing their pupils for life and livelihood. "No teacher", declared the University Education Commission, presided over by Dr. S. Radhakrishnan "who is not a master of the field, who is not in touch with the latest developments in his subject, and who does not bring to bear upon his duties a free and untrammelled mind will ever succeed in inspiring youth with that love of truth which is the principal object of higher education".# Munshi entirely agreed with this

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\* *Sparks from a Governor's Anvil* by Dr. K. M. Munshi, Volume I, p. 27.

#*The Report of the University Education Commission—December 1948—August 1949*, Volume 1, p. 69.

point of view. He was equally insistent that students seeking higher education must realise their responsibilities and make a disciplined and diligent endeavour to study and to enlarge their minds as a necessary preparation for assuming the country's leadership. Addressing the Allahabad Branch of the Chancellor's Inter-University Camp on March 4, 1955, he deplored "indiscipline and vulgarity" among section of the students and posed several questions to the erring youngmen. He said: "I ask you, friends, who going to be the leaders of tomorrow, are we going to destroy our future by an exhibition of such attempted coercion? And think for a moment: Why does this kind of demonstration make the noise that it does?" He asked the students to remember that India had a role to play more important than that of "an ordinary democratic State. It is charged by history with the mission to bring a happier world into existence parks where war will be unknown, where hatred will have disappeared".\*

Munshi devised a new method in an effort to galvanise university life in the State and to provide a cure to some of the ills in the system of higher education. He held periodical conferences with the Vice Chancellors and Deans of the Universities, not merely to consider how best student turbulence could be controlled, but also to provide a platform for them to discuss their common problems, to adopt measures for avoiding duplication of expensive specialised studies, and to deliberate on improving the academic standards and the welfare of teachers and students. He also held at regular intervals the Chancellor's Camp. Teachers and students were invited to stay in the Government House as his guests for a couple of weeks at a time. The aim of the Camp was to promote the goal of

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\**Sparks from a Governor's Anvil* by Dr. K.M. Munshi, Volume II, pp. 223-24.



making the universities true institutions of higher learning and culture, to foster a genuine pride in the country's heritage, and to revive the ancient *ashram* principle of creating a feeling of oneness among the teachers and the taught. Besides conducting lectures and seminars on various subjects, prayers and recitation of the Bhagvad Gita, the Song Celestial, were arranged. The experiment proved popular and it certainly helped to curb student violence. Munshi's term of office as Governor was thus eventful. He has won a well-deserved place in the galaxy of outstanding Governors that have inhabited the Government Houses, now Raj Bhavans, in the country since independence.

## XIII

# Education and National Language

**A**S CHANCELLOR OF THE UNIVERSITIES in Uttar Pradesh, Munshi was able to revitalise them because he was not only an eminent intellectual and a man of versatile talents, but also an experienced educationist. Since he became a member of the Senate of Bombay University, one of the three oldest British-modelled universities in India, in January 1926, he took sustained interest in higher education. He was not a policy-maker but he missed no opportunity of telling both the Government and the people of this country that the prevailing system of education was wholly unsuited to Indian requirements. Its over-emphasis on proficiency in English and its glorification of Western heroes and Western culture were a hindrance to the growth of pride among young Indians in their own heritage. Besides, being narrowly based, it merely created a small clan of elite, excluding the bulk of the population from the benefits of higher education. It also dug a gulf between the English-educated class and the rest.

The shortcomings of the university system were obvious, but Munshi did not want that the opportunities for acquiring higher education should be confined to a few. He wanted more and more universities to be opened in different parts of the country. Such a project had long been under the consideration of the Government of India. As far back as 1913, it expressed



the view that every important province in the country should have a university of its own. There were at the time only five universities in the whole of British India. It also encouraged the creation of “new local teaching and residential universities within each of the province in harmony with the best modern opinion as to the right road to educational efficiency”. In the polyglot Bombay province there was a persistent demand by the Marathi-speaking educationists and others that each of its regional units must have a university of its own. In 1917, Sir Narayan Chandavarkar, a Judge of the Bombay High Court, asked for a separate university for Maharashtra in his presidential address to the Bombay Presidency Educational Conference.

Munshi was elected to the Syndicate of Bombay University in August 1926 and was invited by the Vice Chancellor, Sir Chimanlal Setalvad, to take active interest in its various activities. Sir Leslie Wilson, Governor of Bombay, was well-disposed towards the Maharashtrians and asked Dr. M. R. Jayakar, one of their leading men, how best he could help them before his retirement. Jayakar, who had long been crusading for a separate university to be located at Poona, suggested that his much-cherished wish should be fulfilled. He explained that Bombay University could not effectively “attend to the educational problems peculiar to such distant and dissimilar areas as Sind, Gujarat, Maharashtra, Karnataka and Bombay. The result was that the educational interests of these outlying parts of the Presidency suffered grievously”. The “overweighted” University of Bombay needed to be cut to size “at whatever cost”. Munshi held similar views and strongly supported the establishment of a separate university at Poona. His plea for setting up a similar institution of higher learning at Ahmedabad was heartily endorsed by the Marathi-speaking educationists.

A Committee under the chairmanship of Sir Chimanlal Setalvad was appointed by the Government of Bombay to make recommendations on the question of university reform. It was also asked to “investigate the relations between the university and its affiliated colleges both in Bombay city and in the mofussil, and to consider whether it is desirable and feasible to institute other universities at mofussil centres”. The expert body came to the conclusion that the city of Bombay had a “multiplicity of interests”, its major preoccupation being commerce and industry. It could not, therefore, serve as an ideal guardian of the educational and cultural needs of the outlying districts of the Province. “A local university, it said, “would be inspired by, and would foster enthusiastic interest in local conditions of life and thought, past and present”. The Bombay Government took no action on the Setalvad Committee’s recommendations, but the agitation for separate universities to be located at Poona, Ahmedabad and Dharwad continued.

Munshi was not much discouraged by the Government’s inaction. He knew the Baroda State well since he had been a student in its local college. The ruler, Maharaja Sayajirao Gaekwad, was an enlightened and forward-looking man who was determined to make his administration at least as enlightened as its British Indian counterpart. On behalf of the Gujarat University Samiti, Munshi met the Maharaja and explained to him his project. Soon after, a Commission under the Chairmanship of Professor Widgery was appointed to report on the feasibility of establishing such an institution in the State. Munshi was a member of the expert body which met at Baroda in October 1926. From what he heard and saw there, it became clear to him that Baroda could not at that time become an ideal venue for a university of his conception. The Commission never functioned vigorously. Before leaving the Baroda State Service, the Chairman, drew up his own report without consulting the



members of the Commission. Munshi submitted separate proposals to the State Government which took no action on either of them. Baroda received its own university in 1949, the year in which it ceased to be a principality.

In 1927, Munshi decided, in response to Sir Chimanlal Setalvad's suggestion, to contest the university seat in the Bombay Legislative Council following its vacation by Dr. (later Sir) Raghunath P. Paranjpye who was given an assignment in London. Munshi threw himself into the electoral fray with his characteristic zeal and thoroughness, touring the sprawling province from one end to the other. He told the graduate voters that he would strive for the enactment of a new university legislation for the creation of a representative Senate and for the establishment of a Department of Technology. He would also try to get separate universities for Maharashtra and Gujarat. He explained that the function of a university should be not merely to affiliate colleges and to conduct examinations but also to undertake the responsibility of teaching. He also urged that a proper academic "atmosphere" should be created in a university. "This atmosphere", he wrote, "is created by its professors, its traditions, its learning by an esprit de corps among its students, teachers and professors, by consciousness of cultural unity as represented by the university, and by a high ideal of knowledge pursued, not merely for the sake of the information required but for its own extension and always with reference to the attainment of truth' ". Munshi won the election and took his seat in the Bombay Legislative Council in 1927.

Repeated disappointments did not dampen his ardour for setting up more universities in India. In 1944, he was in Udaipur to preside over the Hindi Sahitya Sammelan when he met the Maharana of that State, Bhupal Singh. He soon became the Constitutional Adviser to the ruler and proposed to him to start

a university at Chitor to be named after his illustrious ancestor, Maharana Pratap Singh. Todd in his *Annals and Antiquities of Rajasthan* writes: “Pratap succeeded to the titles and renown of an illustrious house, but without a capital, without resources, his kindred and clans dispirited by reverses : yet possessed by the noble spirit of his race, he meditated the recovery of Chitor, the vindication of the honour of his house and the restoration of its power”. His heroic stand against the overwhelmingly superior military might of the Moguls in the memorable battle of Haldighat on June 21, 1576, has won for him imperishable fame as a warrior of incomparable courage and fortitude. It was to perpetuate the name of this legendary figure that Munshi wanted the ruling Maharaja to establish a seat of learning at Chitor.

In making his suggestions, Munshi did not surrender himself merely to sentiment and emotion. He had good reasons for proposing the founding of a university away from large cities and towns. He pointed out in his scheme that education acquired amidst metropolitan surroundings tended to weigh the scales heavily on the side of mundane pursuits. It was apt to be used as an “instrument for making money”. The true aim of higher education should be to encourage the spirit of enquiry in the student by stimulating his capacity for thought and reflection and to inspire in him a genuine respect for literary traditions and the immemorial culture of the land. Chitor, he felt, would become an ideal venue for the pursuit of this national goal. Besides being far away from the madding crowds, it was looked upon as a “national centre of heroism”. The place was relatively cheap and accessible. The feasibility of the project had been examined earlier by a Committee appointed by the Rajasthan Kshatriya Mahasabha. Munshi had no doubt in his mind that a university at Chitor would thrive, but the time was not propitious for initiating any worthwhile move in that direction. The minds of the policy-makers were almost exclusively



pre-occupied with the problem of the country's constitutional future so that other issues were relegated to the background.

The agitation for a separate university was conducted by the Marathi-speaking leaders with such pertinacity that it became impossible for the Bombay Government to shelve the issue. The Government found it necessary to commit itself firmly to the principle of establishing regional universities in the province. Expert bodies were accordingly appointed to make recommendations towards this end. On April 21, 1947 a Committee under the chairmanship of justice M. C. Chagla was appointed "to make recommendations as to the scope, form, constitution and jurisdiction of a university for Gujarat, including the question of granting affiliation to institutions outside the limits of the Bombay Province". Munshi, who was a member of the Committee, wrote a note on the medium of instruction, saying that adoption of Gujarati as an optional medium in the university as suggested in the report, would adversely affect its academic standards. He, therefore, suggested that "Hindi should be accepted as the principal medium in the proposed university and that for a period of five years English should be permitted as an optional medium. After the period of five years, Hindi should become the principal medium of instruction with optional English in such subjects as have no essential literature available in Hindi". Gujarat University was established at Ahmedabad in 1950. In the previous year, Poona and Karnataka Universities, the latter situated at Dharwad, had been brought into existence.

Munshi, who had made a penetrating study of India's ancient history and culture, had developed a habitual vision of her greatness. To make his countrymen better aware of the antiquity, the vastness and the splendour of their heritage became the mission of his life. The country's immense treasure-house of knowledge and wisdom was embodied mostly in

Sanskrit and he thought that the surest way of reviving at least part of its past glory was to create a wider interest in this classical language. “For a thousand years”, he declared on October 8, 1953, “the greatest integrating force in India was Sanskrit”. On February 16, 1955, he declared in his address to the annual Convocation of the Utkala Sanskrit Parishad at Puri that Sanskrit was “one of the greatest classical languages of the world” and that for us Indians it was “the source and symbol of our great heritage”.\*

Munshi did not exaggerate. Indologists like Nathaniel Halhed, Charles Wilkins, William Jones, H. H. Wilson and Henry Colebrooke, to mention the names of only a few British officials of the East India Company who served in this country in the eighteenth century, have by their scholarly labours and utterances expressed their deep admiration for this language. Many of them were in fact “Sanskrit mad”. Sir William Jones belonged to a class by himself. He was acclaimed as a “prodigy of learning” and his knowledge of Sanskrit was believed to be unrivalled. As the President of the Asiatic Society of Bengal, he wrote in 1786 thus about Sanskrit: “The Sanskrit language, whatever be its antiquity, is of a wonderful structure, more perfect than Greek, more copious than Latin, and more exquisitely refined than either.....” An eminent Indian scholar, Dr. Belvalkar, Director of Research, Bhandarkar Oriental Research Institute, held that “next to one’s own mother tongue which everyone inevitably learns by Nature’s method, the first language, the study of which ought to be academically pursued, is and ought to be Sanskrit, the language of India’s culture and traditions”.#

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\* *Sparks from a Governor's Anvil* by K. M. Munshi, Volume I, p. 320 and Volume II, p. 216.

#*The Report of the University Education Commission*, December 1948-August 1949, p. 131.



It was indeed the pioneering labours of the European Indologists that evoked global interest in Indian contribution to human civilization. Since then the antiquity, the depth and the great empirical quality of Hindu thought have exercised a profound influence on many distinguished Western scholars and philosophers. Schopenhauer, the great German thinker, declared: "The study of the Upanishads has been the solace of my life; it will be the solace of my death". Endorsing this remarkable affirmation of faith, the eminent Professor Max Muller said: "I am neither afraid nor ashamed to say that I share his enthusiasm for Vedanta, and feel indebted to it for much that has been helpful to me in my passage through life". It is small wonder that Munshi strove to make the study of Sanskrit in all its depth and amplitude a national undertaking.

He was not attempting the impossible. It has long been accepted by scholars that India's great classical language is a distant cousin of most of the European languages. After the composition of the Rig Veda, the oldest religious text in the world composed probably between 1500 and 900 B.C., Sanskrit developed considerably, but it was probably never spoken by the masses in its classical form. It was certainly read and spoken by the upper class since it was the official language of both religion and State. It is quite possible that it was somewhat understood by a sizeable section of the population. As Munshi rightly maintained, it served as a *lingua franca* for the whole of India. Even today, inspite of the growing importance of regional languages and the ascendancy of English in the institutions of higher learning, scholars in traditional learning hailing from different parts of the country, converse fluently in Sanskrit when they assemble at conferences or in places of pilgrimage. The thousands of *pathashalas*, situated in different parts of the country and teaching Sanskrit grammar and classics in the traditional style, the Sanskrit universities that

have come into existence since independence and other institutions with a better awareness of the value of cultivating this great language, have helped to keep the lamp of Sanskrit learning burning.

An historic occasion provided Munshi the long awaited opportunity to launch an organised drive to revive his countrymen's interest in the study of Sanskrit. The hare-brained Nawab of Junagadh in Saurashtra had rashly announced the State's accession to Pakistan, a distant country with which the people and the State of Junagadh had no manner of connection. A man of action *par excellence*, Sardar Patel, the Deputy Prime Minister, directed the occupation of the State in November 1947 by the Indian troops. In February 1948, a referendum was held when the people of Junagadh over-whelmingly voted in favour of remaining in India, their and their ancestors, motherland from time immemorial. Decision was taken to reconstruct the great Somnath temple which had been sacked and destroyed by Mahmud of Ghazni in January 1025 A.D. The Sardar invited Munshi to draw up a scheme for this purpose. In doing so, he could not have asked a more competent person. Munshi had done a good deal of historical research on the Somnath temple which before its destruction was as famous as the Vishwanath shrine at Banaras. For several centuries it was also a celebrated seat of learning where Shaivite teachers of national reputation taught. Mahmud's vandalism did not deprive the shrine of its sanctity. We are told that during the Moghul period even Muslim merchants going to the port of Prabhas in Saurashtra took offerings to the temple.

The decision to renovate the Somnath temple was taken when Mahatma Gandhi was still alive. With the Prime Minister in the chair, the Union Cabinet agreed to defray the cost, but, at the instance of the Mahatma, it was decided that the required



finances should be raised from the public. The Government appointed an Advisory Committee, with Munshi as the Chairman, to assume responsibility for the reconstruction of the shrine. Munshi played a great part in preparing the Trust Deed of the temple. He was convinced that new brick and mortar alone could not restore the shrine to its pristine glory. As in the past, it must become a great centre of education with the capacity to attract students and scholars from all parts of the country. The Trust Deed accordingly provided for the establishment of one or more institutions there, including a university, to impart education of a type that would enable its recipients to gain a sound knowledge of the immemorial wisdom and pieties of the land. The study of Sanskrit was to become the foundation of the new system of education.

Munshi was never tired of declaring that Sanskrit was the greatest fertiliser of the Indian languages. He had achieved considerable mastery in Gujarati, his mother tongue, and was producing in it literature of enduring value, but his passion for the study of Sanskrit remained undiminished. He wrote : “I am not indifferent to the study of modern Indian languages. I cannot be. For 35 years now, I have given of my best to Gujarati. My faith in Hindi as the national language of India is unshaken. I have admired the piquancy and raciness of Marathi and the grace of Bengali. But as a truly formative and inspiring influence, nothing compares with the study of Sanskrit”. It is small wonder that the Trust Deed prepared by him for the Somnath temple assigned a key role to the study of the classical language in the proposed educational institutions. It also provided for encouraging research in Sanskrit learning, for the publication of Hindu religious and secular literature and for popularising the classical language among the general public.

The ceremony of opening the renovated temple was performed on May 11, 1951. Dr. Rajendra Prasad, President of India, who was present on the occasion, delivered a memorable speech on the importance of the event. Recalling the glory of India's past, the President said : "In that era, India had been a treasure-house of gold and silver ..... Centuries ago, the major portion of the gold of the world was in the temples of India. It is my view that the reconstruction of the Somnath temple will be complete on that day when not only a magnificent edifice will arise on this foundation, but the mansion of India's prosperity will be ready ..... that prosperity of which the ancient temple of Somnath was a symbol".\*

On that day, when delegates from nineteen universities were present, a Sanskrit Parishad was inaugurated by the President of the Indian National Congress, Purushottamdas Tandon. He appealed to the scholars to appreciate the value of Sanskrit in sustaining and revitalising the Indian culture. The Maharaja of Travancore, who presided over the function, reminded his countrymen that Sanskrit symbolised the homogeneity and the oneness of India. It was felt that the dissemination of Sanskrit learning should transcend the national frontiers and must have a global reach. Dr. Rajendra Prasad gave his wholehearted support to the suggestion for promoting a world academy of Sanskrit.

At the conference Munshi moved a resolution which reads in parts thus: "We the delegates of the Akhil Bharatitya Sanskrit Parishad now assembled at Prabhas declare in all solemnity and faith that Sanskrit is the language of India's culture and inspiration, that it is the world's classical language and the key to a true understanding of India's cultural and spiritual greatness,

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume I, p. 288.



and that through Sanskrit and its allied languages, particularly *Pali* and *Prakrit*, the world can realise the life of the spirit enshrined in them". The resolution also envisaged the establishment of a Sanskrit Visva Parishad to work in association with the Somnath Trust. The resolution was seconded by Justice N. H. Bhagwati. Dr. Rajendra Prasad was unanimously elected President of the new world academy of Sanskrit. Later, a centre of the Parishad was opened in America. The American Academy of Asian Studies agreed to propagate the message of the Parishad under the direction of L. P. Gainsborough. Branches were later opened in Sri Lanka, Germany and Japan.

Munshi did not rest on his oars. He wrote to lovers of Sanskrit in India and abroad, telling them how best its study could be advanced and with what advantage to general enlightenment. He saw to it that the Visva Parishad held its annual sessions regularly. At its fourth session, held in Tirupati, the famous place of pilgrimage in Andhra Pradesh, and attended by some 15,00 delegates, an influential body was set up to meet Government leaders in order to apprise them of the importance of revitalising Sanskrit learning. In February 1956, it asked the Government to set up an all-India Board of Sanskrit Studies with a view to coordinating, standardising and promoting Sanskrit studies all over the country by "both modern and traditional methods". It also suggested the establishment of a Central Institute "to promote higher study and learning, and research in Sanskrit". A high-power Commission was appointed by the Government in October 1956 to study the prevailing state of Sanskrit education in the country and to make recommendations for its improvement. Thanks to Munshi's indefatigable labours, Sri Venkateswara University at Tirupati was established in 1954 and two years later Kurukshetra University came into existence. In 1958, the Varanaseya

Sanskrit Vishwavidyalaya was set up at Banaras; three years later it was followed by K. S. Darbhanga Sanskrit Vishwavidyalaya. It is difficult to think of any other leader who laboured so hard and so constructively for the revival of Sanskrit studies in India as Munshi did. He gave them pride of place in the activities of the Bharatiya Vidya Bhavan, which he founded in November 1938. It was indeed in the fitness of things that he was invited to inaugurate the All-India Sanskrit Conference in 1945.

Munshi was an ardent advocate of Hindi as India's national language. He had been championing its cause long before the Constitution raised it to the status of the official language of the Indian Union in 1950. In his Presidential address to the Hindi Sahitya Sammelan at Udaipur, he called attention to the census figures of 1931, according to which those who spoke Hindi well and those who spoke it with a slight effort formed 69 per cent of the population of the country. On the strength of these statistics, he maintained that there was no need to make Hindi the national language because it was already one. The great religious and social reformer, Swami Dayanand Saraswati (1824-1883), who hailed from Morvi in Gujarat, had elevated it to that status long before any concerted move was made in that direction.

Munshi wanted all Indian languages to develop and thus be able to contribute to the enrichment of Indian literature. It was indeed his ambition to create what he called a "commonwealth of literatures" in this country. Such a commonwealth, he wrote, could only be rendered possible "through the medium of Hindi and implies a coordinated effort on the part of the literary men from all provinces". Once this goal was reached, it would be possible to create "federation" of provincial "Sahitya Parishads and thus pave the way for the establishment of an all-India



literary body. He had been yearning to promote such literary unity in the country from the time he became closely associated with the Gujarati Sahitya Parishad. It was not an utopian concept and was well received by discerning men of letters. To propagate this idea, he started a monthly magazine called *Hans* in Hindi with himself and Premchand, the great Hindi novelist, as joint editors. The venture was blessed by Mahatma Gandhi and achieved instant success. Many writers from different parts of the country found their place in it, but the career of the magazine was meteoric. It disappeared from the Indian literary firmament in less than a year.

Munshi had, however, no illusions about the limitation of Hindi as a medium of modern thought. Like all other Indian languages, it had suffered centuries of stagnation during the British period. Like them, it had lost its resilience in order to be able to turn out good and adequate literature in science and technology and in various other branches of modern knowledge. Far from providing a window on the world, it had not even been able to supply a pee-phole. He, therefore, wanted it to shed its backwardness and become a living and dynamic vehicle of expression to meet the manifold needs of a modern society. It could hope to win the allegiance of the majority of the Indian people only if it was atleast one lap ahead of the most advanced languages in the country. It could achieve this distinction if it could create conditions when words came, to use the felicitous phrase of Bacon, home to men's business and bosoms. Even after he had played a leading role in getting Hindi written into the Constitution as the Union Government's official language, he conducted a ceaseless campaign for vitalising that language so that it could become worthy of its elevation. For instance, on February 17, 1953, he said at Aligarh: "For the purpose of developing power, Hindi has to be viewed in the aspects both of a spoken language of popular use and as the medium of

higher expression ..... In the second aspect, as a national medium of power, it must produce a vocabulary acceptable to the bulk of the country; to incorporate new words and idioms freely, not only from other Indian, but even foreign languages; and, lastly, to acquire the freedom and elasticity, not only to absorb new elements, but to reach out to a higher expression of thought and beauty”.\*

Munshi's attitude to English was clear and realistic. He refused to envisage a day when its use could be dispensed with in this country. He rejected the argument that, being a foreign language, it needed to be expelled. Such “hypersensitive nationalism”, he was convinced, would do no good to anybody. On October 8, 1953, he warned the Bharatiya Hindi Parishad thus: “If you emphasise the elimination of English too insistently, Hindi will not gain, but lose; nationalism will suffer an eclipse; regional consciousness will grow; and the linguistic balkanisation of India will bring about serious consequences”. He invented the expressive word “linguism” to describe linguistic intolerance ..... a term which has not yet found a place in the English vocabulary.

He spoke and wrote repeatedly on India's indebtedness to the English language. Besides broadening the mental horizon of the intellectual classes, it stimulated in them, and through them in others, a passionate desire for national freedom. Its cultivation has helped Indians to be in close touch with the various developments in modern arts and sciences. India's pre-eminence in the third world is due not a little to her ability to move with the times through the instrumentality of this great language. A survey of the position of English in other parts of the world reveals that since the Second World War, it has gained

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\* *Sparks from a Governor's Anvil* by Dr. K. M. Munshi, Volume I, p. 223.



considerable international popularity. In the domain of medical research, it has become an indispensable medium. In Europe, the results of medical research have got to be published in English if they are to reach a wide audience. The Germans are a proud race but they are highly pragmatic. For years past, an increasing number of German medical journals have been asking authors to submit their manuscripts in English. "In science", says a perceptive foreign writer, "it is not a question of personal feeling or favouring national languages but of the attempt to develop one means of communication for all".

It was only to be expected that Munshi's love for Hindi did not blind him to the realities of the Indian and international situation. He commended English to his countrymen in these eloquent words : "The introduction of English in India was no ordinary event. When English came to us, the world entered a new age. India joined the brotherhood of the English-speaking world. It led, as I have said, to a cultural upheaval in India, to a wide vision. The barriers of latitude, colour and race were broken down; the East mingled with the West in the sphere of the mind; a great step was taken towards establishing direct human intercourse, and sweeping away national frontiers.... Today, English is ours, and with its aid we can make ourselves felt more than through any other agency. It would, therefore, be criminal to ignore or neglect English in this country".\* The length of the passage calls for no apology since it vividly portrays Munshi's convictions on an issue of vital national importance.

Munshi was, however, even more convinced that in a polyglot country like India with its strong centrifugal tendencies, a national language was indispensable to promote and sustain a single consciousness among its people. After much reflection,

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\* *Munshi at Seventy-five*, quoted on p. 138.

he had come to the conclusion that Hindi alone could play this role. It was not an easy task to secure its acceptance in the Constituent Assembly. Not only the South, but several other non-Hindi regions were not prepared to accord to it any primacy over their own tongues. Speaking in the Constituent Assembly on September 13, 1949, T. A. Ramalingam Chettiar declared that the language question meant “life and death for the South”. He added: “We have got languages which are better cultivated and which have greater literature than Hindi in our areas”. After making a claim to the distinctiveness of Tamil, his mother tongue, he told the members from the North that unless they made “everybody feel that they have got a share in the country and it is their country, unless you do that, if you go on keeping the spirit of domination of one part over the other, I am sure the result is not going to be for the progress or for the safety of the country”.# In the previous year, on November 5, T. T. Krishnamachari, who later held responsible positions in the Nehru Cabinet, said that among the various forms of imperialism, linguistic imperialism was the most powerful one. Dr. Shyama Prasad Mookerjee, a front rank leader from West Bengal and founder of the Bharatiya Jana Sangh, said that by merely making provision for a language in the Constitution, the task of giving the country a common language could not be accomplished. Maulana Abul Kalam Azad said that there was no “national language as such which can immediately take the place of English. Time is needed to evolve it, brush it, and polish it”.

The task before Munshi for getting Hindi accepted as the official language by the Constituent Assembly was thus not easy. After presiding over the Hindi Sahitya Sammelan at Udaipur, his fame as the champion of that language had read among the

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#*Constituent Assembly Debates : Official Report*, Volume 9, p. 1375.



Hindi-speaking people. It was hoped by them that his persuasive ability and eloquence would ensure the acceptance of their mother tongue as the country's official language. Munshi had, however, to watch his steps carefully. He teamed up with N. Gopalaswami Ayyangar, like him an active participant in the discussion on constitution-making and an influential member from the South, in evolving a formula on the thorny issue. Ayyangar, who supported the plea for the adoption of Hindi as the language of the Union, called attention to the need for the retention of English— "a language in which many of us have been reared and on the strength of which we have achieved our freedom".

Munshi has recorded that he, Dr. Shyama Prasad Mookerjee and Ayyangar met and decided to break the language deadlock by evolving a suitable *modus vivendi*: He persuaded the Congress party, which held a dominant position in the Constituent Assembly, to adopt a resolution moved by him on the issue. According to the compromise proposal, Hindi with the Devanagari script should be the Indian Government's official language. English should also hold that position for a period of ten years. The proposal received wide support. Thus what has come to be known as the Munshi-Ayyangar formula prevailed and, with suitable modifications, was eventually incorporated into the Constitution as Articles 343 and 344. In a tribute to Munshi on his contribution to the cause of Hindi, Professor Ramdhari Singh Dinkar, Member of Parliament and a leading Hindi poet and writer, said : "The Indian people as a whole will always gratefully remember the far-sighted service rendered to the country by Munshi in making Hindi attain the stature of the national language".

In the following years, the language question caused much distress to Munshi. No systematic attempts were made to rescue

Hindi from the trammels of stagnation and to make it widely acceptable as a worthy vehicle of modern thought. The South and more especially Tamilnadu, resolved not to have anything to do with it. Even more alarming was the growth of regional chauvinism, represented by a relentless campaign for the creation of linguistic states. He was not opposed to the reorganisation of the provincial boundaries on rational lines. The existence of five hundred odd Princely States and a number of British Indian provinces conformed to no accepted canons of territorial or administrative demarcation. For instance, the area inhabited by the Kannada speaking people was divided between the provinces of Bombay and Madras, Mysore State, Coorg, the Southern Maratha Country States, and a petty principality in the second-named province. The position of Gujarat was no better. It was split up into the British Indian districts of Bombay Presidency, the Baroda State, the Gujarat States, the Kathiawad States and Kutch. Such an outrageous arrangement needed to be ended and Munshi was all for it. Under Sardar Patel's statesman-like drive, the almost impossible task of integrating the princely India with the rest of the country became an accomplished fact. But Munshi had not bargained for the reorganisation to take the form of mutually-exclusive and self-regarding units. He always looked upon Gujarat essentially as a cultural unit and not as an autonomous region wanting to live in a state of semi-isolation from the rest of the country. His patriotism was too robust to succumb to such parochial attractions.

He was, therefore, much worried when he saw that soon after independence, there was a clamant demand from many quarters for the creation of linguistic states. It is true that long before national freedom the Congress had committed itself to redraw the country's administrative map on those lines. Mahatma Gandhi was also a party to it. But the situation that faced free India was so different that past pledges had ceased



to be relevant. The partition of the country was, as Nehru pointed out, a “major operation”, calling for a long period of treatment to heal the wound. Besides, Swaraj had been won after making solemn promises to the masses that their welfare would be the first concern of the free Indian Government. In the words of the Prime Minister, first things had to come first, they being the protection of the national frontiers, the strengthening of internal security, and the adoption of measures to banish the triple curse of hunger, ignorance and disease from the land.

None of these considerations, however, prevailed with the linguistic irredentists. The Congress had agreed to give primacy to language in the formation of states. Their hands were further strengthened by the Prime Minister’s statement in the Constituent Assembly on November 27, 1947, that the principle underlying the demand for linguistic provinces had been accepted by the Government. Later, it was officially stated that Andhra would be mentioned as a separate unit in the new Constitution. The Drafting Committee, however, thought that such a course of action would not fully meet the requirements of the prevailing situation and accordingly suggested that a Commission should be appointed to make recommendations not only concerning Andhra but other linguistic regions as well. Following this suggestion, a Commission was appointed by the President of the Constituent Assembly on June 17, 1948, consisting of S. K. Dar, a retired judge of the Allahabad High Court, (Chairman), Pannalal, a retired member of the Indian Civil Service, and Jagat Narain Lal, a member of the Constituent Assembly.

Munshi viewed the whole proceedings with distaste. Since 1946, he had been warning about the dangers of linguistic intolerance which, he feared, would gravely undermine the national unity. He recalled what the Prime Minister himself had been saying: “It produced more conflict and trouble than any

kind of peaceful solution to the problem". Munshi missed no opportunity of ventilating his views before the Linguistic Provinces Commission, of which he was an Associate Member. He submitted to it a detailed note which was later published in book form under the title *Linguistic Provinces and Future of Bombay*. Better known as the Dar Commission, the expert body examined the issue with complete detachment and with the larger and lasting interests of the country at heart. It did not regard the demand for linguistic states as wholly sterile. In states having a great measure of linguistic homogeneity, it would be possible to impart education to the bulk of its student population in its own mother tongue and to conduct the official correspondence and the deliberations of the legislature in the language of the people. These were certainly great assets, but there were other considerations which outweighed such advantages.

The Commission pointed out that the weakness of the demand lay in the fact that it involved "the recognition of the principle of government of a province by a linguistic group, which is basically wrong". Strongly warning against giving primacy to the linguistic principle, it said : "Indian nationalism is deeply wedded to its regional languages; Indian patriotism is aggressively attached to its provincial frontiers. If India is to survive, Indian nationalism and patriotism will have to sacrifice some of its cherished sentiments in the larger interests of the country". Urging that there should be a strong Centre with "over-riding powers", the investigating body recommended thus: "In any rational and scientific planning that may take place in regard to the provinces of India in the future, homogeneity of language alone cannot be decisive or even an important factor.



Administrative convenience, history, geography, economy, culture, and many other matters will have to be given weight’.\* It held that the forces of nationalism in the country were still feeble and considered it most unwise to undertake the reorganisation of the provinces at that time.

These were the warnings and recommendations of a high-power Commission and the path of wisdom lay in deferring to them without demur. Dr. Ambedkar, who piloted the Constitution Bill in the Constituent Assembly, was equally categorical in declaring himself against the linguistic principle. Urging that there should be strong links between the principal government and its constituent units, he said that linguistic provinces would “result in creating as many nations as there are groups, with pride in their race, language and literature. The Central Legislature will be a League of Nations and the Central Executive may become a meeting of separate and solidified nations filled with the consciousness of their being separate in culture and therefore in interests”. Other voices were also raised against regional and linguistic chauvinism. With his characteristic bluntness, Sardar Patel characterised the language enthusiasts as the “assassins of nationalism”. Pandit Gobind Ballabh Pant wanted the idea of linguistic states to be given a “decent burial”.

In December 1948, the Congress appointed a Committee consisting of Jawaharlal Nehru, Vallabhbhai Patel and Pattabhi Sitaramayya (JVP) to make recommendations on the question of the states’ reorganisation. The Committee felt that the conditions that had emerged in the country since independence made it to view the problem of linguistic provinces “in a new light”. It would prefer the reorganisation question to be postponed by a

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\**The Framing of India’s Constitution* : Select Documents, Volume IV, The Indian Institute of Public Administration, 1966, pp. 475-76.

few years “so that we might concentrate during this period on other matters of vital importance and not allow ourselves to be distracted by this question.” The three leaders, however, weakened their own argument by adding that they would submit to “public sentiment” in favour of forming linguistic provinces if it was “insistent and overwhelming”. Their report was endorsed by the Congress executive in April 1949. If the ruling party really thought that public opinion was strongly in favour of a change, it should have undertaken it systematically and without any undue loss of time. The whole question of reorganisation arose out of the Andhra issue. A Telugu-speaking state was created only in October 1953, that is, more than four and a half years after its formation was recommended by the JVP Committee. It was hustled into existence following the death by fasting of Potti Sriramulu, on the issue. Commenting on the ruling party’s failure to stand firm, Munshi said: “It talked wisdom and acted unwisely”.

By now emotion and sentiment had virtually dethroned reason and understanding. The Government found it impossible to resist the demand for a similar dispensation in other linguistic areas. The Prime Minister's announcement of December 22, 1953, appointing the States Reorganisation Commission, could justifiably be traced to the compulsion of events. The Commission consisted of S. Fazl Ali, a retired High Court Judge, (Chairman), and two eminent members, namely, Pandit Hriday Nath Kunzru and Sardar K. M. Pannikar. Like the Dar Commission, it made a thorough study of the pros and cons of forming new states on linguistic lines and like it came to the conclusion that in the wider interests of the country no such course of action should be considered. The Commission declared: “Experience has everywhere shown that States based on language are intolerant, aggressive and expansionist in character. Already a sense of irredentism is noticeable in the existing unilingual States



of India, which claim neighbouring territories on the basis of language statistics". The expert body warned that surrender to regional and linguistic patriotism would give rise to the dangerous "homeland" doctrine.

It conceded that after the integration of princely India with the rest of the country, it became necessary to redraw the administrative map, but it was imperative that weightage should not be given to language in any such undertaking. Para 152 represents the quintessence of the Report and is reproduced here in its entirety on account of its significance: "It has to be remembered that linguistic and other group loyalties have deep roots in the soil and history of India. The culture-based regionalism, centring round the idea of linguistic homogeneity, represents to the average Indian values easily intelligible to him. Indian nationalism, on the other hand, has still to develop into a positive concept. It must acquire a deeper content before it becomes ideologically adequate to withstand the gravitational pull of traditional narrower loyalties. In these circumstances, further emphasis on narrow loyalties by equating linguistic regions with political and administrative frontiers, must diminish the broader sense of the unity of the country".\* The Commission's apprehension that any over-emphasis on language would stimulate the disruptive "homeland" doctrine came true. After the reorganisation of states, border disputes assumed dangerous proportions, calling for the appointment of another Commission to recommend their resolution. The one-man Mehr Chand Mahajan Commission on the boundary disputes between Maharashtra, Mysore (now Karnataka) and Kerala had the disconcerting experience of being told that emigration of

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\* *Report of the States Reorganisation Commission*, 1955, p. 43.

linguistic minorities from their hearths and homes provided the best means for the formation of unilingual states.\*

The future of Bombay city presented an almost intractable problem for the Fazl Ali Commission. As a great commercial, industrial and educational centre, it had come to be known as the *urbs prima in Indis*. Many communities, including the Europeans, the Parsis, the Gujaratis and the Maharashtrians, had made their offerings at the altar of this great metropolis. One section of the people felt strongly that the assignment of Bombay to Maharashtra would deprive it of its cosmopolitan character and thus bring about its decline. Influential men banded themselves together in an attempt to preserve the “glory” of the city at all costs. Suggestions were made for making Bombay a “city State”, to be controlled directly by New Delhi. It was, however, decided that it should be the capital of a bilingual state, comprising the Marathi-speaking and Gujarati-speaking people. Munshi was entirely in favour of such an arrangement. Speaking in Bombay on August 26, 1956, he pleaded for ensuring the success of the bilingual state. Since linguistic homogeneity was considered as the basic criterion for the states’ reorganisation, the experiment of a bilingual Bombay province was bound to fail. The movement, spearheaded by the Samyukta Maharashtra Parishad, for the inclusion of the city in Maharashtra became irresistible. Riots in Gujarat, aimed at securing a unilingual state, clinched the issue. Maharashtra, with Bombay city as its capital, came into existence in May 1960 in spite of the predilections of the Union Government.

Munshi was unhappy at the growing linguistic intolerance and at the outbreak of violence over the

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\* *Report of the Commission on Maharashtra-Mysore-Kerala Boundary Disputes, Volume 1*, 1967, p. 33.



inter-state border disputes. With extreme reluctance, he wrote to Nehru on May 20, 1961, calling his attention to these developments. "The root cause", he wrote, "of the present trouble in the country has been the inability of some of us, who wanted the Indian nation to be united and strong, to foresee the danger of linguism." In most states, men with a countrywide outlook were looked down upon as reactionaries. Even Gujarat", he complained, "is no exception" He feared that there would be "linguistic Balkanisation of the country if "something bold and effective" was not done. He told the Prime Minister that he was eminently suited to stem the rot. He wrote: "History has placed you, of all your contemporaries in the country, a position when you alone can take bold and decisive action to implement a policy of integration". Munshi took the opportunity of discussing the problem personally with Nehru when they met on July 2. The Prime Minister agreed that the situation called for "serious consideration". He said that he would first convene a conference of the Chief Ministers of states, then meet political party leaders and finally, confer with independent persons, including the educationists. A beginning was made in that direction in the last week of September and on the first of October, but nothing came out of it. Munshi's earlier contacts with distinguished leaders such as Acharya Vinoba Bhave, C. Rajagopalchari, Jaya Prakash Narayan, Pandit Hriday Nath Kunzru, Dr. Syed Mahmud and Dr. Lakshmanaswami Mudaliar did not also yield any tangible results\*.

Munshi became disconsolate because the splitting of the States went on even after Nehru's death in 1964. He considered it midsummer madness to divide the Punjab even

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\* *Pilgrimage to Freedom* by K. M. Munshi, Volume 1, pp. 235, 240.

after it had suffered a serious amputation in 1947. The Sikhs, who spearheaded the demand for a Punjabi Saba, formed only 35 per cent of the State's population. The States Reorganisation Commission, which examined the question in depth, declared that the demarcation between the type of Hindi and the Punjabi spoken in the State was "more theoretical than real". A team of jurists, consisting of S. R. Das, retired Chief Justice of India, M. C. Chagla, retired Chief Justice of the Bombay High Court, and Sir C. P. Ramaswami Aiyar, a distinguished lawyer and former Dewan of Travancore, who studied the Sikh demand, found no substance in it. But the Akalis insisted that there should be a second partition of Punjab. This was done following the recommendations of the Punjab Boundary Commission in 1966. The future of Chandigarh, now the joint capital of Punjab and Haryana, and of the prosperous areas of Abohar and Fazilka has become a running sore between the two states. Writing in *Swarajya* in March 1970, C. Rajagopalachari said : "Every major error leads to a chain of difficulties. The greatest mistake after the attainment of Independence, a mistake that threatens to undo all our worthy ambitions, was the reorganisation of the States on the basis of language". Munshi was in entire agreement with this observation of India's veteran leader.



## XIV

### Man of Letters

**M**UNSHI KNEW MANY LANGUAGES but he wrote almost entirely in English and Gujarati. His English prose had a remarkable resilience. His legal and political writings were noteworthy for their simplicity and directness. They were essentially utilitarian. His style took an entirely new turn when he wrote on other subjects. There he could rise to supreme heights of literary excellence. He could set off the most trifling common places in the most superb ornaments of language. In his Gujarati works, he was peerless among his contemporaries. Gujarati, his mother tongue, nourished his mind and matter as the mother's breast milk builds up the body of a child. He could delve deep into the recesses of his mind in search of new thoughts and ideas and give expression to them in words of great power and beauty. Munshi, as a front-rank lawyer and politician, was a busy man and yet he was copious and multifarious. He was not only copious but fast, as every fertile artist must be. It could be said of him, as it was said of Shakespeare, that his hand and mind went together.

The literary tradition of Gujarat dates back to the early centuries of the Christian era and it was shared by Rajasthan and Malwa till the seventeenth century. Sanskrit was the dominant language till the region was ravaged by Alaud-din Khalji's armies in 1297 A.D. Poets and scholars retreated to rural Gujarat and started enlarging and enriching the local spoken dialect. The era of resistance that followed the Muslim

invasion was marked by the creation of heroic poetry but it was largely confined to bards supported by assertive and affluent Kshatriya families. The Bhakti movement, led by Mirabai, Surdas and Tulsidas, however, created a new awakening throughout north India. Mirabai, who lived mostly in Chitor, became the symbol of the new religious renaissance. She sang in Western Rajasthani or Gaurjari and Marwadi. Her songs, sung with deep religious fervour, make a valuable contribution to the Gujarati, Rajasthani and Hindi literature. Narsi Mehta, the Saint of Junagadh, was another shining light of the Bhakti movement whose well-known devotional song “Vaishnava Janato .....” became a part of Mahatma Gandhi’s daily prayer. Great poets like Samalbhat, Premchand, Akho and Dayaram, who lived in the seventeenth and eighteenth centuries, broadbased the Gujarati literature by their writings. A good deal of secular literature, including fiction was turned out during this period. In the subsequent period, Gujarati, like the other Indian languages, was overshadowed by English which made its growth slow. The advent of Mahatma Gandhi and Munshi in the second decade of this century, however, gave a new direction to the language which, being liberated from the conventional style, went closer to the common man.

Like his English, Mahatma Gandhi’s Gujarati was crisp, simple and idiomatic and could be understood even by the most unlettered person. Munshi’s prose had all these qualities. At the same time, it could rise to the summit of literary splendour. His scholarship, his all-roundness and his mental restlessness contributed to the most astonishing outflow of words. He disdained to sit in the ivory tower, elaborating perfection at the rate of one sentence to the hour. Words flowed from his pen in torrents—limpid and powerful. While Mahatma Gandhi was mostly concerned with his experiments with truth, his gifted lieutenant occupied himself with the description of his fellow-



men in all their naturalness. The fact is that Munshi was endowed with a remarkable capacity for observation. Nothing escaped his attention. What we normally regard as trivial interested him. He harnessed both the “unconsidered trifle” and the most mighty things to his art with such skill and intensity that whatever he wrote acquired a certain distinctiveness denied to other novelists and playwrights. Munshi was essentially a story-teller and was not a pedantic moralist, always prone to find fault with everything. He had a profound knowledge of the human beings and portrayed their strong as well as weak points with extreme fidelity and clarity. A fellow-feeling for humanity is indeed the dominant note of his literary works which hold attention because they depict a wide range of human experience. Being essentially urban-based, he avoided depicting rural life.

In the literary world, Munshi had his exemplars, Indian and European. Foremost among his Indian models was Bankimchandra Chatterji who stimulated his romantic imagination “to go in search of new worlds”. He pays the highest tribute to the great Bengali novelist. Chatterji was the “founder of modern novel, humour and in a sense the seer who saw modern nationalism in India in its true shape and colour”. He claimed that he humbly carried forward the great heritage which Bankimchandra left by capturing the spirit in the portrayal of men and women and the vision of Mother India. Dayanand Saraswati, the founder of Arya Samaj, was not a literary figure, but he was a lion of a man who upheld the timelessness and the sanctity of the Vedas and sought to rekindle Indian pride in the great Aryan culture. Originally known as Mulshankar, the Swami hailed from Morvi in Gujarat. Munshi wrote about him: “He restored in me the pride of ancient race and undying culture”. Sri Aurobindo, who always held pride of place in his heart, remained the lodestar of his life. Both he and the Swami greatly influenced Munshi’s ideas and ideals. Mahatma Gandhi

was, of course, his path-finder in politics and in many other domains of human activity.

From his college days Munshi had been a diligent student of European literature. Alexander Dumas, Victor Hugo, Walter Scott, Goethe, Shelly, Bernard Shaw and H. G. Wells had become his literary godfathers. At that time he had no premonition of becoming a writer either in English or in Gujarati. But the rich literary fare that nourished his mind and widened his intellectual horizon helped him to shed all outmoded ideas and to emerge as an ardent patriot. The writings of contemporary English writers thrilled him.

Munshi, who went to Bombay in June 1907 as a “puny, penniless, friendless new-comer” to make a career at the Bar, never thought at the time or for some years later that he would eventually emerge as a luminous star in the firmament of Gujarati literature. In his earlier years, he had made no regular study of that language and his busy life gave him no opportunity to make good this deficiency. But by then he had, without his knowing it, become a mental giant in whom a terrifying ability lay hidden. Responding to a compelling urge to write, even when he was preparing for the Advocate’s examination, he produced a story called *Mari Kamala* which was published in a Gujarati journal called *Stribodh* in 1912. He wrote it under the pen-name of Ghanashyam Vyas in order to test whether he could write well in that language. Leading literary critics applauded his maiden effort and encouraged him to persevere with his labours in the cause of Gujarati literature. In the following year, he wrote, with less diffidence but without discarding his literary veil, a social novel entitled *Ver-ni-Vasulat* (Revenge Accomplished). It was serialised in the weekly *Gujarati* and brought him, a struggling lawyer, the much needed remuneration of twenty rupees a month.



The novel became an instant success. Tanman, the heroine, at once became the darling of young and old, while young men sighed to have a maiden of that description as a wife, old men debated among themselves how different their lives would have been had they been fortunate to have such a mate when in the full tide of their manhood. Munshi could conjure up such an attractive character because he had developed an obsessional yearning for a woman like that. In later years, he wrote thus : “I will tell you of a little maiden, Tanman, who sprang from the imagination of a young lawyer; she was the dreambride of a college student; for years he had created her out of longing, tears and despair”. In his novels and plays, Munshi painted the portraits of women, not just as the female of the human species, but as man’s equal partner. His resplendent vision of his motherland guarded him against committing the mistake of looking down upon woman as a weak and inferior creature.

He wrote “I created the modern woman with the right to love as she wills and live her own life; the man who is prepared to live the life that he is born to, unabashed and triumphant; the joys of man and woman, the joys of the flesh of the united minds and the linked wills; the joy of life as it is lived—richly, spontaneously and sinlessly; the vivid worship of the Mother in which our old time lore of *Bharat*, our collective urge for social synthesis and our dominant political consciousness were fused and transformed into the triumphant nationalism of the day; and above all, the search and portrayal of beauty, rising above and beyond prudery, convention, tradition and the transient fashions of generations”.\* Munshi defended love by classifying it as one of the fundamental passions of life. It sustained and transfigured

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\* *Munshi: Self-sculptor* by Jayana Seth, Bharatiya Vidya Bhavan, 1979, quoted on p. 3.

life and moulded destiny. The purpose of existence would find its fulfilment in the consummation of love.

Munshi did not venture to shed his anonymity as a writer even after he had gained a firm foothold in the kingdom of Gujarati letters. In 1916, he wrote *Patan-ni-Prabhuta* (Greatness of Patan), a historical novel, the first of a great trilogy, portraying the greatness of Gujarat and its rulers, including Siddaraja Jayasimha, an outstanding historical figure whom Munshi was never tired of eulogising. The other two novels of his genre were *Gujarat-no-Nath* (The Lord of Gujarat), 1917, and *Rajadhiraj* (The King of Kings), 1922. The first novel took Gujarat by storm, but it brought no happiness to its still disguised author. The delineation of a Jain monk's shady doings in the story infuriated some of the touchy members of that community who clamoured to have him tried in a court of law. Munshi, whose main concern at the time was to get on with his career as a budding lawyer, was in no position to face the unexpected storm. He ran to his benefactor, Jamietram, the influential solicitor, and told him all about his brief career as a fiction-writer in Gujarati. The older man too had been bewitched by Tanman in the novel, *Ver-ni-Vasulat*. Far from thundering at the shivering young man, he congratulated him on his great performance. He assured Munshi that he would take the responsibility of calming the outraged feelings of the Jains.

Munshi had a highly developed historical sense which greatly contributed to the quickening of his imaginative sensibility. He admired Scott's Waverley novels, which revived the old romance in which, by means of a remarkable ingenuity of form, the adventures of a typical hero of fiction were cast in a historical setting and set about with portraits of real personages. "Scott's best work", says a British writer, "his novels of Scottish



character, catch more than half their excellence from the richness of colour and proportion which the portraiture of the living people acquires when it is aided by historical knowledge and imagination". Munshi revolutionised Gujarati fiction by using a similar technique in his historical novels. He was a resourceful romanticist who saw to it that the doings of his historical figures had contemporary relevance. "The dead pages of Gujarat's history", writes Dr. Jayana Seth, "became a real experience for the people through Munshi's novels. The trilogy, providing heroic models, strongly appealed to the contemporary Gujaratis. Some of the characters in the novels, says Narasimharao, which were mere names before, have now found a "fond and permanent place in popular imagination".\*

Munshi was no longer under the necessity of writing under a concealed name. He had now joined the select band of distinguished writers in his mother tongue. As far back as 1921, Krishnalal M. Jhaveri wrote about the talented newcomer thus in his *Further Milestones of Gujarati Literature*: "Recently a novelist, worthy of the first rank among the writers of that class, suddenly blossomed out. Till he began in 1911 with some short stories and published them with great hesitation, concealing his own identity under the significant *nom-de-plume*, Ghanashyam, no one suspected that he had latent powers. In the opinion of many, Kanaiyalal's style is always suited to the occasion. There may be in his writings a recklessness in the spelling of words; there might be an unconscious echo of English phrases translated into Gujarati, but on the whole, the style is virile, vigorous, cultured and chaste".

Munshi fully deserved this high tribute from a veteran scholar. In the previous year, 1920, he had published another

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\* Op. cit. p. 34, Narasimharao was a Gujarati literary critic.

historical novel, *Prithvi Vallabh* (The Darling of the World), which transported him to the pinnacle of popularity. It is a prose-poem which has been translated into Hindi, Marathi, Kannada and Bengali, besides being staged and screened. The novel is derived from the fragments of an ancient versified historical romance in Gujarati. Munja, the ruler of the Paramara Empire, whom Munshi dignifies with the title of Prithvi Vallabh, falls in love with the widowed sister of King Tailapa of Telangana, who takes him to his capital as his captive. Mrinaldevi is a mettlesome and self-willed woman who is senior in age to the royal prisoner. She goes to him determined to subdue him to her imperious will, but finds that his personality and matchless equanimity of temper even in his degraded condition are overwhelming. His composure and fortitude even amidst incredible suffering, astonish her, forcing her to fall at his feet. His tribulations come to an end when the King orders his body to be trampled under an elephants' foot. Munshi also got some brickbats for his superb creation. Mahatma Gandhi did not like it. Munshi writes: "To Gandhiji, not familiar with what is art for art's sake," this book was suggested as a specimen of the author's creative writing. He read it and severely criticised Munshi

Munshi wrote not only in praise of Gujarat's greatness and glory but also about its downfall. Two novels, *Jay Somnath* (Hail Somnath) and *Bhagna Paduka* (The Broken Sandals) belong to the later category. Both were written when he had reached the peak of his literary renown, the first in 1940 and the second in 1948. The technique of these later works is different while the style is more mellowed and resilient. It is the story of the sack of the great Temple of Somnath by Mahmud of Ghazni in January 1025 A.D. The immense but ill-defended wealth of Indian temples drew Mahmud to India as many as seventeen



times, which proved the fatal weakness of the country's defences. Munshi has, however, painted a shining picture of the heroic defence of the temple by the King of Gujarat, his dependent aristocracy and his soldiers. He also calls our attention to the spiritual eminence of Ganga-sarvagna the high priest, and to the religious ecstasy of Chaula, the temple dancer. He praises Sultan Mahmud's tenacity of purpose and his will to succeed.

*Bhagna Paduka* rounds off Munshi's great novels on Chalukyan Gujarat. In 1297 A.D., Ala-ud-din Khalji, the man who "shed more innocent blood than ever Pharaoh was guilty of", overran Gujarat and destroyed its independent sovereignty. His favourite deputy, Malik Naib Kafur, a converted eunuch, was directed to humble Hindu manhood in the South. Munshi describes the Sultan's court in the novel "in light but effective vignettes" in which the armed might of the invader is contrasted with "the decadence of Chalukyan Gujarat"\*. To help the reader to overcome the heaviness of his heart over the fallen eminence of the Gujarat rulers, the author weaves a romance between the son of the high priest of a king and a dancing girl. The young man is known as Bada Maharaj and his beloved is called Anangana. Hindu treachery, the futile heroism of the defenders of the shrines and homes of Gujarat, the mass immolation of women and the destruction and desolation that followed Muslim invasion are described with a realism equal to that of the account of the man on the spot.

*Bhagawan Kautilya* (Lord Kautilya), an earlier historical novel, was written in 1923. Here the author has attempted to present a refreshingly new portrait of Kautilya,

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\* *Munshi: His Art and Work: Man of Letters*, Volume III, pp. 90, 91.

the celebrated minister of Chandragupta Maurya and author of *Arthashastra*, the well-known treatise on state-craft. He rejects the charge that the great statesman was guilty of Machiavellianism. Kautilya's sole object was to end the unpopular rule of the Nandas and to install Chandragupta, his friend, on the imperial throne. A reviewer of the novel writes: "Mr. Munshi is not only a careful student of the human mind and its motives but is also an artistic lover of nature. His description of Naimisharanya, coupled with that of the ashram of Rishi Bhadraksha, is as picturesque as it is beautiful .... He (Chanakya) saw that mere asceticism without culture was useless, mere knowledge without self-control a poor exhibition. Both culture and control were linked together by the power of the concentrate thought of the seer".

Munshi wrote in all branches of literature except poetry. His contribution to fiction by drawing abundantly from the historical past was widely recognised. The *Dictionary of Oriental Literatures* says: "The second structure was developed by K. M. Munshi, who transformed the facts of India's past into a movement of its basic history. Thus, his, *Patan-ni-Prabhuta* (Greatness of Patan) truly begins the Gujarati historical novel". Munshi had a passionate attachment to India's past and harnessed his great gifts as a story-teller to stimulate the nationalism of his contemporaries by calling attention to its glorious aspects. He used this medium with superb skill in his four-act play, *Dhruvaswaminidevi* published in 1929.

The play deals with the Gupta period, justly described as India's Augustan Age. Samudragupta (335-376 A.D.), who governed the biggest empire since the days of Asoka, administered his charge for more than forty years with such foresight and imagination that he has rightly been acclaimed as a model monarch, the *flos regum*, and as one of the finest men



that ever adorned the Indian throne. The play, however, deals with the incompetent King Ramagupta, his great Queen, Dhruvadevi, and his brother, Chandragupta. The woman is noble, urbane and patriotic and abhors the levity and pusillanimity of her husband. His weakness encourages the enemy of the Empire, Mahakshatrap Rudraman, to invade his realm. Dhruvadevi and Chandragupta are drawn towards each other irresistibly and Ramagupta is done away with when he discovers this. The younger man fights valiantly against the invading enemy and saves the Empire from dissolution. Sage Yajnavalkya permits him to marry the lady. Commenting on this drama, Dr. Jayana Seth says that it “reveals Munshi’s most positive and least negative traits: action and conflict, progenitors of dramatic tension, hold the attention of the audience and the readers alike”.

In depicting the social life of his people, Munshi showed the same perception that marked his historical novels. He had proved his creative abilities in his first social novel, *Verni-Vasulat* which, as we saw earlier, achieved immediate popularity. His novel, *Konk Vano?* (Whose Fault?), published in 1915, is an indignant protest against such evils as forced widowhood, early marriage of girls, and caste cruelties. He exposes man’s inhumanity to man in the Hindu society by unfolding the sad story of Mani, a child widow. *Svapna drishta* (The visionary), 1924, is a record of his own reactions to the political happenings in India since the beginning of the first decade of this century. He gives himself the name of Sudarshan who plays the role of a hero in the novel. Stirring popular movements such as the campaign against Lord Curzon’s arbitrary partition of Bengal in 1905 and the countrywide boycott of foreign goods are described with consummate skill and vividness. *Sneha Sambhrama* (Confusion of Love), written in 1931, a part of which was dramatised as *Pidagrast Professor* reveals the

author in a “rollicking, boisterous mood”. It is the story of an amorous professor and a boastful man whose respective wives are disgusted with the behaviour of their husbands. *Khange Karbhari* is another humorous satire. In 1957-58, Munshi published a three volume novel called *Tapasvini* (The Lady Sage) which is a detailed description of the social and political evolution of Gujarat since the Great Revolt of 1857.

Munshi was a prolific writer. He wrote thirteen plays, five of which were mythological, depicting the greatness of the Aryan culture. In 1953, he wrote a fantasy *Vah re Men Vah* (Kudos to Me). It is indeed impossible to make even a brief reference to everything he wrote. His literary output included historical biography, his travels abroad, literary criticism, and scholarly essays on a wide variety of subjects. His varied writings in Gujarati have been listed into fifty-six items. Before India's independence, he wrote thirteen novels, fourteen dramas and twenty short stories. In the post-independence period, covering twenty-four years till his death in 1971, he published three novels, one play and a fantasy. Much of his production in the second period was non-fictional and related to biography, autobiography, politics, history and culture.

Both in volume and value, Munshi's contribution to the Gujarati literature is massive and towering. Apart from the fact that his writings are marked by a genuine fluency in style and fancy, they defy the categories. Munshi was indeed a remarkable mixture of unquenchable romantic and a man-on-the-spot realist. He was a patriot with a deep and abiding love for the immemorial pieties and culture of his motherland. At the same time, he abhorred the undesirable accretions to them and condemned them with his trenchant pen. Effectiveness was the Alpha and Omega of his style. He was a writer who dealt in first principles, and dealers in first principles cannot be taken for



granted. He said what he thought and was congenitally incapable of saying anything else. Perhaps, next only to Mahatma Gandhi, he created in Gujarat a new consciousness which he called *Asmita*. The Gujaratis, no matter to which station in life they belonged, were not slow in taking him to their heart. He was the most popular and esteemed writer in their language and toward over his contemporaries like a Titan. He has earned a deathless name in the Gujarati literature. He laboured hard in stimulating the study of Gujarati literature and played a prominent part in the establishment of the Gujarati Sahitya Parishad, of which he remained President for many years. He was also an inspirer and the mainstay of other institutions with similar objectives. In 1922, when the Gujarati Literary Society was founded, he started an illustrated monthly called *Gujarat* with himself as its Joint Editor. His services to the Gujarati language and literature are truly inestimable.

Munshi began his career as a writer in English with extreme diffidence. Having had his university education in a mofussil college, he at first wondered whether the “foreign tongue” would ever become amenable to him. He was, however, not alone in entertaining such fears. Even Mahatma Gandhi who, according to H. A. L. Fisher, the eminent historian of Europe, had “a distinguished command of the English language”, complained that it was no pleasure for him to write in that language. The Rt. Hon. V. S. Srinivasa Sastri was hailed as an outstanding orator in English in the British Empire, but he too was sometimes assailed by the unfounded fear of inadequacy. Munshi had no reason at all to be defeatist on this issue. He had read English authors deeply and extensively and it was no difficult task for a man of his intelligence and quick perception to use the language as an effective vehicle for his thoughts. Necessity drove away all his doubts and hesitations and made him an accomplished speaker both in the law-courts and on the

platform. He was also a man with a message to convey about the greatness of his country's heritage. How could he reach a national and international audience if not through the medium of English? Perhaps, he could not master the subtleties of the language as well as he could in his own mother tongue, but his command over it was impressive and much more than sufficient for all practical purposes.

Munshi readily acknowledged India's indebtedness to foreign scholarship for proclaiming the greatness of her civilization to the world. But he wanted both Indians and foreigners to see her greatness through Indian eyes. Most of the books on Indian history failed to impress him. He undertook the stupendous task of getting it written by a band of seasoned Indian historians and scholars. The outcome is *The History and Culture of the Indian People* in eleven volumes, each volume running into many hundreds of pages. In his Foreword to the first volume, dealing with the Vedic period, he wrote : "In the course of my studies I had long felt the inadequacy of our so-called Indian histories. For many years, therefore, I was planning an elaborate history of India in order not only that India's past might be described by her sons, but also that the world might catch a glimpse of her soul as Indians see it". It is a magnificent effort begun in 1951 and completed in 1969 and covers the country's history from the earliest known period till the exit of the British from its soil in August 1947. The burden was borne by Dr. R. C. Majumdar, the doyen of Indian historians, as General Editor, who was assisted by a team of talented writers. Commenting on the first volume, *The Vedic Age*, *The Times Literary Supplement*, London, says: "This history unlike its predecessors is first and foremost a history of India and of her people rather than a history of those who have from time to time invaded her..... The standard, in a word, is very high."



Munshi was keen that the greatness of Gujarat must also be made known to the wider world. In 1935, he published *Gujarata and its Literature*, which presented to the English-reading public an authentic and authoritative history of Gujarati literature from the earliest times. Many of its chapters were originally intended to be delivered as extension lectures under the auspices of the Post-graduate Studies, Department of Calcutta University, but this plan did not materialise as Munshi was caught in the vortex of the civil disobedience movement. The twenty-one-chapter volume, acclaimed as “the best of its kind both in its attempt and achievement”, carries the Foreword of Mahatma Gandhi. Professor A. B. Keith, who wrote so much about India’s ancient civilization and the constitutional reforms introduced by the British in this country, was all praise for Munshi’s magnificent performance. He wrote: “It is not merely pioneer work, but the field is vast and the languages used range from Sanskrit through Prakrit and Apabhramsha to the old and modern Gujarati, demanding an erudition remarkable in one who has given so much time to public service and who himself is an outstanding author, whose creative art (in the words of Dr. Taraporevala) has brought life and beauty to Gujarati fiction and drama and whose philosophy of life has given to Gujarata both joy and strength”.

Mulraj Solanki was among Munshi’s idolised historical figures. The millennial celebrations of the ruler’s assumption of the sovereignty of Anahilwad Patan were welcomed by him to plan the publication of a multi-volume work on the greatness of Gujarat. The task was entrusted by the Gujarat Sahitya Parishad to the Bharatiya Vidya Bhavan, of which he was the founder. The original project of bringing out four volumes never materialised. As General Editor, Munshi found that he had to bear almost the entire burden of the undertaking. The volume, *The Imperial Gurjaras*, was entirely written by him. Since

other scholars did not evince much interest in the scheme, it fell to Munshi to revise it thoroughly. This resulted in the publication of *The Glory That Was Gurjar Desha*, the first volume of which was brought out in 1943 and the second in the following year. Both were revised in 1954. Commenting on these volumes and on Munshi's earlier book on Gujarati literature, Dr. K. R. Srinivasa Iyengar, former Head of the Department of English, Andhra University, says : "A great deal of industry, scholarship and sensitive interpretation has gone into these impressive cultural histories, and his lucid exposition and clarity of expression make the perusal of these books both a pleasure and an instruction". Munshi, who had decided that the reconstruction of the Somnath shrine should become an integral part of post-independence cultural activity and had the satisfaction of realising his long-cherished dream, wrote a masterly book on the subject in 1951 and called it *Somnath, the Shrine Eternal*. Enough has already been written on this subject in the earlier pages of this book. Munshi's deep commitment to Indian culture in its varied aspects is exemplified in his book, *The Saga of Indian Sculpture*, which presents a vivid picture of the country's achievements in the realm of plastic arts.

Munshi wrote a good deal on political topics. He recorded his allegiance to Mahatma Gandhi's leadership in two books *I Follow the Mahatma* and *Gandhi, the Master*, the former written in 1940 and the latter in 1948, the year of the Mahatma's martyrdom. The Muslim League's campaign for India's partition, which gathered momentum as the Second World War progressed, caused him much anguish, out of which arose in 1942 the book, *Akhand Hindustan*. Here he made a well reasoned and impassioned plea for not attempting the subversion of his dearly-loved motherland's territorial integrity. *The End of an Era*, published in 1957, is a record of the author's experience in Hyderabad soon after national



independence as India's representative there. The intransigent attitude of the Nizam to the integration of the State with the rest of India and the Razakar violence, to which a detailed reference has been made in an earlier chapter, are fully brought out in this volume. Munshi's appraisal of British rule was fair and realistic. He heartily applauded its positive achievements, especially its gift of the rule of law to the Indian people, but he was an unsparing critic of its economic policy which grievously impoverished the country by draining off its resources. He published in 1946 his views on this subject in his book, *The Ruin that Britain Wrought*.

Age never wearied this remarkable man, to whom inaction was worse than death. In the post-independence period, his pen remained as busy as before. He wrote much on both political and non-political topics. Many of his speeches and writing as Minister and Governor have been brought together and published in book form. *Sparks from a Governor's Anvil*, 1956, in two volumes is a noteworthy example of this species of his writings. Munshi was also an accomplished journalist, who edited for about a decade the weekly journal, *The Social Welfare* and its successor, *The New Democrat*. His journalistic activity had begun long before India's liberation. He stimulated deeper interest in the *Bhavan's Journal*, a fortnightly organ of the Bharatiya Vidya Bhavan, through his feature, "Kulapati's Letters", which was eagerly read. There the author discussed a wide variety of subjects in a homely style which at once brought his numerous readers closer to him. The rapport between him and them was perfect.

He also laid the English reading public under a deep debt of gratitude by starting the "Bhavan's Book University" under the general editorship of himself and N. Chandrasekhara Aiyer, and after him, R. R. Diwakar. In his Preface to the series on

October 3, 1951, Munshi explained that it had been started to provide “higher education” to the reading public by laying emphasis on such “literature as revealed the deeper impulsions of India”. For a considerable time, the books were sold at an incredibly low price of Rs. 1.75 per copy so that an increasing number of people could gain ready access to a truly enlightening literature. (The price was later raised to Rs. 2.50 which was certainly not much for a copy of over two hundred pages). Munshi held that “through such books alone the harmonies underlying true culture”, would “one day reconcile the disorders of modern life”. The series is undoubtedly a landmark in the history of Indian publishing. His last major contribution to the Indian political literature consists of two volumes entitled *Pilgrimage to Freedom*, embodying the Indian constitutional documents from 1902 to 1950. The first volume is in the nature of an introduction to these documents. Known as “Munshi Papers”, the volumes are widely consulted by students of Indian constitutional affairs.

It is difficult to assess the literary achievements of Munshi within the brief compass of a chapter. He wrote so much and on such a bewildering variety of subjects that even a passing reference to each of his works would demand considerable space. He was an Olympian in the kingdom of Gujarati letters. He had drunk deep from the founts of Western literature and used his vast knowledge to bring a certain newness and freshness to bear on his Gujarati writings. He explored new literary areas, as exemplified by his historical romances, and adopted new techniques of expression that helped to shorten the distance between the cultivated reader and his uninstructed counterpart. He has won a secure place in Gujarati literature. Some of his writings in English have also an imperishable quality. His books on Gujarat are seminal and are,



therefore, durable. Munshi was a man with many irons in the fire and yet he could effortlessly win immortality in literature. Overflowing with energy, he never regarded either law or politics as a jealous mistress.

## XV

### The Bhavan

MUNSHI WAS A DREAMER but he had the wisdom and the ability to translate his dreams into deeds. He was a practical idealist *par excellence*. His devotion to India's ancient civilization was absolute. It was based on deep study and reflection and on the conviction of the relevance of the past to the present. He shared the belief that one had to take a peep into the past in order to draw inspiration for the present and to make plans for the future. Like all discerning persons, he saw a living reality in India's past. Ancient Indians were men of gigantic stature. By their achievements they took their motherland ahead of other countries. Language and literature, art and architecture, science, including metallurgy and medicine, were developed to their highest pitch of excellence. India's offerings to human knowledge were indeed many, the most precious and conspicuous one among them being the invention of the decimal system. The greatest Indian astronomer and mathematician, Aryabhata, whose name has now become familiar to millions of our countrymen by naming a space research satellite after him, discussed with profound understanding such abstruse subjects as quadratic equations, besides announcing the roundness of the earth and its diurnal revolution on its axis in daring anticipation of Renaissance science.

Great progress was also made in the science of medicine and, as far back as the sixth century B. C., Hindu physicians



were able to describe a large number of delicate parts of the anatomy hidden from the eye with amazing clarity and confidence. “The ancient Hindus”, says an authority, “performed almost every major operation except ligation of the arteries”. The surgeons knew the use of one hundred and twenty-one surgical instruments. Both Sushruta and Charaka have recorded that there were medicines to induce insensibility to pain. Will Durant quotes an authority as saying that in 927 A. D. two surgeons trepanned the skull of a king and made him insensitive to the operation by administering a drug called *samohini*. In many other departments of human activity, Indians had forged ahead of the rest of mankind. We cannot ignore these facts because his country’s ancient civilization differs from those of Egypt, Mesopotamia and Greece in the sense that its traditions have been preserved without a break down to the present day. The masses of Egypt and Iraq had no knowledge of the achievements of their ancestors until the spade of the archaeologist unearthed their splendour. The common man in Greece had also little knowledge of the glory of Periclean Athens. It has never been so with India where the earliest European visitors were astonished to find a culture that was not only continuous but fully conscious of its antiquity. Indeed, India and China are the only two countries in the world which have the oldest continuous cultural traditions.

Munshi was, therefore, anxious to harness this great heritage to the galvanization of his countrymen. He made a pointed reference to the relevance of the past to the present while delivering his inaugural address at the bi-decennial celebration of the Bharatiya Vidya Bhavan on February 10, 1957. “We must not”, he said, “forget even for a moment that the roots of Indian vitality are imbedded in its cultural and spiritual heritage. Its life may appear to change from generation to generation; but its basic continuity persists through a healthy

adjustment between necessary development and persistent continuity”. He did not spurn material advance as sterile. On the contrary, he insisted that Indians must move with the times and should in fact try to be one lap ahead of others in science and technology. But there was “no reason why we should be untrue to the heritage of Vyas, Valmiki and Kalidas, or forget the message of the *Bhagavad Gita*”.\*

Since 1923, Munshi had been seriously thinking of giving an institutional foundation to his ideas and ideals. The times were, however, not propitious for any such undertaking. He was an active participant in Mahatma Gandhi’s civil disobedience movement and was often removed from the scene of his activities. Such an ambitious project needed a long period of peace and tranquillity as well as money. The last-named requirement did not, however, worry him too much. He was not a moneyed man himself and was certainly in no position to finance his project, but he fully shared the Gladstonian belief that worthy causes need not suffer for want of money. He was never in doubt about what he called the “noble spontaneity” of the affluent classes in supporting his cause. Congress acceptance of the responsibilities of Government in 1937 promised a reasonably long break from the convulsive Gandhian challenges to authority. As a member of the Congress Government in Bombay, Munshi hoped to do substantial public work in addition to his ministerial responsibilities.

His long-cherished aim of founding a cultural institution became a reality with the establishment of the Bharatiya Vidya Bhavan on November 7, 1938. Speaking on the occasion, he

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\* *Sparks from a Governor’s Anvil* by Dr. K. M. Munshi, Volume I, pp. 559-61.



said: “For many years, it has been the dream of the Sahitya Sansad to crystallise its work by creating a centre in which the ancient learning and modern intellectual aspirations of this land could combine to create a new literature, a new history and a new culture. The Bhavan will be a new association which will organise active centres where ancient Aryan learning can be studied and where modern Indian culture will be provided with a historical background”. Three persons came together and resolved to nurse the infant institution till it grew into an outstanding symbol of the intellectual, literary, educational, ethical, spiritual and cultural life of India. They were the founder himself, Mrs. Lilavati Munshi and Sir Harsidbhai Divatia. From the first, Mrs. Munshi became a tower of strength to her husband. In a warm tribute to her, he wrote: “She made the idea of the Bhavan her own from the time it was conceived. There is not an activity in connection with it with which she has not identified herself; not a collection made, to which her labours have not contributed a substantial quota of effort; not a building, of which she has not directed the designing, the execution, the completion and the equipment. There has not been a moment of her life when she has not been thinking in terms of its growth and development”. As for Munshi himself, he had made the success of the Bhavan the mission of his life.

The institution began its eventful career in a small way at Andheri, a suburb of Bombay. Munshi, who believed that Sanskrit provided the master-key to the treasure-house of India’s ancient wisdom, laid special emphasis on its cultivation in the institutions started by him. Thanks to the munificent gift of Rs. 2 lakhs by a Marwari magnate, he created a trust, as a constituent part of the Bhavan, for the teaching of this classical language. Eventually, it developed into a post-graduate and

research institution recognised by the University of Bombay for M. A. and Ph.D. degrees. He established the Mumbadevi Sanskrit Mahavidyalaya to teach Sanskrit and the ancient Hindu texts according to the traditional methods. Care was, however, taken to ensure that the students developed a genuine spirit of enquiry which is the foundation of modern scholarship. He also provided facilities for *Shastris* and *Acharyas* to study the sacred texts and classical literature in depth so that they might acquire the necessary felicity to give discourses on India's ancient learning.

Munshi also laid great stress on the study of the *Bhagvad Gita*, the most popular sacred book of the Hindus. Called the 'Song Celestial', the *Gita* has evoked the admiration of many non-Hindus for its lofty and yet pragmatic teachings. Warren Hastings, Britain's first Governor-General of India and a great admirer of the Indian civilization, wrote enthusiastically about this book. The *Gita* contained passages, "elevated to a track of sublimity into which our habits of judgment will find it difficult to pursue them". He commended it as "a performance of great originality, of sublimity of conception, reasoning and diction, almost unequalled". Warren Hastings is deliberately quoted here because he played an outstanding part in promoting Indological studies in this country. With his encouragement, Sir William Jones, described as he "Justinian of India", founded the Asiatic Society of Bengal in January 1784. In this great work, he received the help of two other eminent Orientalists, Wilkins and Halhed, all of whom gave a much-needed institutional basis for the study of India's ancient culture. Munshi's attempt in our own time was, therefore, a continuation of this noble but nearly forgotten tradition. The Sanskrit and *Gita* examinations conducted by the Bhavan have achieved great popularity, more than fifty thousand candidates taking their test in them annually.



Munshi had highly developed artistic sensibilities. He wanted an increasing number of India's young men and young women to take an active part in drama, dance and music. He accordingly set up three institutions to impart training in these arts under expert guidance. The Bharatiya Kala Kendra, which organises these activities, produces dramas and dance ballets in English, Hindi, Gujarati and Marathi to encourage amateur talent. It also sponsors inter-collegiate dramatic competitions in many languages. The Bhavan attaches equally great importance to the advancement of modern learning, including science and technology. It runs a large number of institutions, situated in many parts of the country, imparting higher education in arts, science, engineering, technology, journalism, advertising, public relations, modern management, printing, radio, television, other media of mass communication, modern foreign languages, including French, German, Russian, Japanese and Spanish. The Bhavan has also a department which keeps itself in close touch with the happenings in various parts of the world. It runs residential public schools. The medium of instruction in these institutions is English and other principal Indian languages.

The Bhavan, whose main centre is in Bombay, is fast spreading its activities in many parts of the country and abroad. Its progress has been so rapid that it surprised even its founder. Commenting on its expansion, he wrote thus on July 4, 1965: "The Bhavan is growing because it is ceaselessly striving to satisfy to some extent the hunger created by our Renaissance in sensitive minds to recapture the fundamental values of our culture in a form suited to modern conditions, cutting across political, religious and socio-economic barriers"\* . These values, according to him, were enshrined in the word "Dharma", the

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\* *Kulapati's Letter on Life, Literature and Culture, Bhavan Retrospect and Prospect*, July 4, 1965, p. 7.

essence of which was Truth, Joy and *Beauty*—*Satyam, Shivam* and *Sundaram*. The Bhavan has its centres in New Delhi and in nearly all the State capitals and important cities in the country. As far back as 1951, the Prime Minister, Jawaharlal Nehru said that he was impressed and “almost overwhelmed by the variety of activities which normally unfortunately are not encouraged in India and there are not too many places in the country where attention is paid to the cultural aspect of our life”. The Bhavan has expanded its activities many times since these eloquent words were spoken. The clamour for more and more branches continues unabated. It has now 35 branches in India and three abroad.

Since the Indologists have been publishing their studies from the middle of the eighteenth century, there has been global interest in Indian culture. Many Europeans and Americans are anxious to know more and more about it. Besides, many Indians, who have made their homes in foreign lands, are anxious to retain their cultural moorings with their motherland. There are as many as 25 million Indian nationals who have settled down abroad. After the Second World War, when many British African possessions became free countries, a number of Indians living there migrated to Britain and have made it their homeland. The leaders of the Indian community there were asking for an institution that could cater to the cultural needs of its members. The Bharatiya Vidya Bhavan took upon itself the responsibility of fulfilling their requirements. A Central Organising Committee was formed in London on June 26, 1972 with Lord Mountbatten, Britain’s last Governor-General of India, as Patron-in-Chief and Lord Thompson of Fleet Street as Patron. The Bhavan, which operates from London, has opened many branches in that country since then. In 1979, the British Government made a fine gesture by giving a grant of £ 11,200 to its London branch.



From the very beginning, the Bhavan has received warm welcome from the British intellectual classes. Although he had withdrawn from most of the public institutions, Lord Mountbatten chose to take deep personal interest in it and saw to it that more and more Britons participated in its cultural activities. Harold Macmillan, Britain's Prime Minister from 1957 to 1963, expressed his admiration for the excellent work the institution was doing in that country. James Callaghan, former Labour Prime Minister, was equally enthusiastic in his appreciation of the Bhavan's work. He said : "The existence of the Bharatiya Vidya Bhavan here in London is a tangible proof of the very close relationship which exists between India and the United Kingdom. India has much to offer to the people of this country through her music and dance, her arts and crafts, her literature and learning". Mrs. Margaret Thatcher, the present Prime Minister, was all praise for the institution. She said: "Six years ago we were delighted and greatly honoured when you decided to establish here in London the first cultural centre outside India. Today, you are taking a splendid further initiative. Cultural exchanges promote understanding. The more we know of one another's ideas and history the better we shall understand what is happening today".

Mrs. Thatcher went on to say: "Many of us in politics may seem to be preoccupied by material and economic problems, but most of us know that there are ultimately more important things in life. Even democracy itself will not survive unless it is founded on higher beliefs and values". More than two hundred years ago similar sentiments were expressed by one of the greatest British statesmen sent out to India, Warren Hastings, who, even as he was laying the foundation of the British Raj in this country, foresaw that cultural ties between the two countries would be far more durable than their political

relations. He stated it as his cardinal belief that wise and efficient government by Britain in India would be possible only on the basis of an intimate knowledge of Indian life and civilization. He gave signal proofs of his greatness in these noble words: “Every instance which brings their real character home to observation will impress us with a more generous feeling for their natural rights, and teach us to estimate them by the measure of our own. Such instances can only be obtained in their writings; and these will survive when the British dominion in India shall have long ceased to exist, and when the sources which it once yielded of wealth and power are lost to remembrance”. By its widening cultural activities in Britain, the Bharatiya Vidya Bhavan is assisting in the prophetic words of Warren Hastings to come true.

At the time of writing this chapter, the Bhavan is making brisk preparations for starting its activities in the United States of America.\* That country is not a stranger to the Indian cultural heritage. Swami Vivekananda’s epoch-making speech at the Parliament of Religions in Chicago in September 1893 and his subsequent addresses from many platforms brought a new awareness among the American people about the richness of ancient Indian culture. The great European thinker and friend of India, Romain Rolland, has described the Swami’s Chicago speech as “a tongue of flame”. The saffron-robed Sanyasi declared with absolute certitude that Hinduism was the “mother of religious”, which taught the precepts : “Accept and understand one another”; “Whoever comes to Me, through whatever form, I reach him”; “All men are struggling through paths which in the end lead to Me”. Swami Vivekananda strove hard to shorten

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\* A branch of the Bhavan was opened at New York in October 1981.



the distance between the East and the West. He wanted them “to espouse each other”. He saw in India and the West “two organisms in full youth .....two great experiments, neither of which is yet complete”. He and his followers established a number of branches of Ramakrishna Mission in America and elsewhere to propagate that which was great and noble in ancient India. Announcing their decision to take the Bhavan to America, its leaders say : “The Bhavan believes that there are elements in all cultures which transcend all barriers and knit peoples together. Its ideal is *Vasudhaiva Kutumbakam*—*the world is one family*’. Its motto is *Aa no bhadraah kratavo yantu viswatah*: “Let noble thoughts come to us from every side”. There are 300,000 Indians in the United States of America. Not only they, but most Americans will, as Britons have been doing in their country, co-operate with the Bhavan in fulfilling its mission there.

The Bhavan’s main centre in Bombay is the beehive of activity. It has a well-stocked library, with over 60,000 books, “perhaps one of the best Indological libraries in the country”, to quote Munshi. It has published the famous Singhi Series of Jain literature. As pointed out in the last chapter, the publication of eleven large volumes on the history and culture of the Indian people is one of Munshi’s most memorable achievements. He had a lofty conception of history, to which he gave detailed expression on December 25, 1956, in his inaugural address to the nineteenth session of the Indian History Congress. He regretted that history had been reduced to an “unabashed propaganda”. “History”, he maintained, “can have only one, approach—the historical”. It could only be the story of the integration or the disintegration of “a human aggregate”. He was firmly of the opinion that India’s history needed to be re-written, “first from the Indian point of view. Secondly, not from

any pre-conceived national bias, but with a view to discover what, in the course of centuries, we felt and suffered; how we reached to new conditions; what were the central ideas and fundamental values which persisted through time; how we were influenced or overwhelmed by the impact of external forces or internal disruption and how we survived them to emerge as a vital and free nation”\*. It is the considered opinion of historians that the Bhavan’s history volumes fully satisfy these exacting stipulations.

The Bhavan’s *journal*, started in 1954, is the institution’s fortnightly organ in English. It contains scholarly articles on religion and philosophy and also on important secular subjects. Besides briefly recording the Bhavan’s activities, the issues carry book reviews. For a long time, Munshi published his “Kulapati’s Letters” in this journal. His letters were meant to be read by all the recipients of the fortnightly and it is most unlikely that many skipped them. They were invariably informative and often revealing. The sources of his information were perennial and dependable so that whatever he wrote bore the stamp not only of authenticity but also of authority. There in them he revealed the range of his mind and versatility in all its amplitude. Dr. K. R. Srinivasa Iyengar writes about the letters thus : “It is an extraordinary feat of substained self-revelation, mingling memory reverie, speculation, “argument and exhortation”. A number of these letters have been brought together and published in book form. Two other fortnightlies, one in Hindi called *Bharati* and another in Gujarati entitled *Samarpan*, are being published by the Bhavan. While the former began its career in 1956, the latter was started in 1959. As pointed out in the last chapter, the Bhavan’s Book University series

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\* *Sparks from a Governor’s Anvil* by Dr. K. M. Munshi, Volume II, pp. 519, 520, 523, 525, 526.



represents a remarkable publishing venture since it provides enlightening reading material to the public at an incomparably cheap price. Some of the books in this series have achieved phenomenal popularity and their copies have been sold in hundreds of thousands. The series is a boon to buyers of books with limited means.

Munshi had deep faith in India's past, in God and in prayer and meditation, but he never allowed his mind to be anchored to dead traditions and beliefs. His attempts to achieve India's greatness on the foundation of a glorious past were entirely rational. It could not be otherwise in a man distinguished for his intellectual brilliance and legal acumen. The three principles he enunciated for regulating the Bhavan's activities conclusively prove this. He insisted that the "other worldliness", which dominated the life of Indians in the past and which in his view was a "curse", must be replaced by "a sense of joy in the life as it is lived". Those traditions that had outlived their usefulness and "stifled the creative vitality of the individual and collective life" should be discarded in favour of "vigorous and flexible attitudes on life". Lastly, the fundamental values that had fertilised the Indian culture in the past should be "captured afresh for our generation".

There is nothing outmoded or obscure about these prescriptions. As he advanced in age and as the travails of the world began to multiply, Munshi's conviction about the need for a spiritual and cultural renaissance gained in strength. On the eve of his reaching his seventy-ninth year, he wrote : "In a world falling to pieces under the impact of an amoral technological avalanche, it (the Bhavan) tries to hold fast to the fundamental values of our culture—*Rita*, *Satya*, *Yagna* and *Tapas*—Faith in God who informs the Cosmic Order, Truth which is accord between mind, word and deed; Dedication which offers all

movements of life as offerings to God; Sublimation which purifies the body and mind, and transmutes instinct, passions and emotions into things of beauty”.

We are living in an age of exterior accomplishment never equalled by mankind in all its history. And yet man's triumph over nature and his incredible advance in science and technology have not helped him to overcome his evil propensities. He is perhaps more unhappy and perplexed than ever before. This feeling of frustration and bewilderment is not confined to any particular country or clime. It is shared by all thinking persons, irrespective of their race or nationality. They know that a future worth contemplating cannot be achieved by flights to the far side of the moon. Nor can it be gained by adding wants and fulfilling them. It can be gained only in our individual hearts. This is the only choice before man as a free agent with the capacity to look before and after in the cosmos. Like other true religions and cultural institutions, the Bharatiya Vidya Bhavan seeks to indicate how best man can realise his mental serenity. This was indeed the intention of its founder. We may conclude this chapter in the felicitous words of Sir H. V. Divatia. He says: “The Bhavan may be likened to an ancient mango tree which being well-watered, well-manured and well-nourished, has each of its branches laden with luscious fruits. Each constituent activity of the Bhavan is just like such a mango fruit, which ripens by the common sap rising up from its spreading roots deep down in the soil of India”.



## XVI

### Swatantra

**M**UNSHI WITHDREW FROM THE CONGRESS In 1959, two years after he had laid down the Governorship of Uttar Pradesh. He shared the distress of all right-thinking persons over the happenings in the country. The Constitution was not working well, thereby confirming the forebodings of some of the members of the Constituent Assembly that it would not yield the desired results. For instance, L. Sahu had warned that “the ideals on which this draft Constitution is framed have no manifest relation to the fundamental spirit of India”. Another member had said: “We wanted the music of veena or sitar, but here we have the music of an English band”. A third member had complained that the Constitution represented “a slavish surrender to the West”. Nehru, who was the guiding spirit in the Constituent Assembly and inspired the constitution-makers with his own idealism, felt constrained to concede that “democracy to be successful, must have a background of informed opinion and a sense of responsibility”. Munshi knew that such ideal conditions did not exist in India. This indeed is the reason why he insisted in the Constituent Assembly and outside in later years that the powers of the President of the Union and of the Governors of States should not be explained away. He was convinced that the cause of both democracy and of good government would have been better served if they had been allowed to function as effective functionaries.

He felt that another safeguard against national drift was the creation of an alternative to the Congress Government. This was a widely shared view. India had deliberately opted for parliamentary government based on the Westminster system. It was imperative to evolve a sound party system, deriving its strength and sustenance from a stable division of political power among the principal elements of the population. Monopoly government, it was felt, was a complete negation of parliamentary government. As the premier national organisation, which had borne the brunt of the struggle for the country's independence and whose top leadership consisted of men of outstanding calibre, the Congress had rightly taken over the responsibilities of government from the withdrawing British power. The death of Mahatma Gandhi so soon after the country's emancipation was a national calamity, but India was fortunate in having the formidable duumvirate, Pandit Nehru and Sardar Patel, to guide its destiny. It was Nehru's peerless prestige that saved a strife-torn India from further falling apart. It was again his wide-ranging mind and modern outlook which helped the country to break the shackles of scientific and technological backwardness. The integration of the Princely States was almost a superhuman task and yet it was accomplished swiftly and smoothly entirely on account of the Sardar's sagacity and pragmatism. India thus needed strong leadership to stabilise her affairs and to put her firmly on the road to progress. Viewed in this light, the death of Sardar Patel in December 1950, in a little over three years after national freedom, was yet another blow to the country. The burden of piloting the affairs of a country of India's continental size, bristling with problems, some of them intractable, thus fell entirely on the ageing shoulders of the Prime Minister.



Nehru's first decade of premiership was dynamic and eventful. Perhaps, the second phase of his leadership would have been equally fruitful if the ruling party and his colleagues could rise to his expectations. India failed to produce another Sardar Patel when the Prime Minister was in need of such a man of strength and resourcefulness to assist him. The Prime Minister was faced with extremely difficult problems. Neither he nor the Sardar could ignore the clamour for the reorganisation of provinces on linguistic lines. The subsequent formation of linguistic states created new problems that defied any rational solution. Like C. Rajagopalachari, Munshi was, as we saw in an earlier chapter, firmly opposed to any such arrangement. He often expressed the fear that "linguism", as he described linguistic bigotry, would seriously undermine the still weak concept of India as the land belonging to all its inhabitants. The deadlock over the river waters dispute gravely crippled the national economic planning in the all-important agricultural sector. The adoption of a wide range of restrictive legislation, as a step towards expanding the public sector, inevitably led to a tremendous proliferation of the bureaucracy, with the inevitable consequence of a decline in efficiency and integrity in the public administration. Thinking persons, with no political predilections of any kind, honestly felt that a change of government had become necessary.

There was no dearth of opposition to the Congress, but the parties ranged against it were too numerous and too disparate to be able to evolve themselves into a viable alternative to the ruling party. The Communist Party of India consisted of able and determined men and women, but their political and economic ideals had no relevance to the Indian situation. Their exemplar, Karl Marx, hated nationality with the rancour of an outcast. Nehru was not opposed to the Leninist or Marxian doctrine. He was in fact fascinated by them,

but he had no patience with the Indian communists. His attack on them on February 28, 1949, was forthright. He said : “It (the Communist Party of India) is deliberately seeking to create famine conditions by paralysing the railway system so that the foodstuffs should not be transported, the object being to create a general background of chaos, a breakdown of administration and mass uprising”. The hope that the Communists would be able to step into the shoes of Congressmen at the Centre was indeed forlorn. C. Rajagopalachari, who, as the Chief Minister of Madras, had to deal with the Communists, declared with absolute finality that they were public enemy number one. Munshi, to whom constitutionalism was the breath of his life, fully shared such views.

The Socialists, most of whom were former Congressmen, were also intellectuals who believed in egalitarianism as the first principle of their political and economic philosophy. The late Dr. Ram Manohar Lohia, a man of vigorous thought and speech, spoke for them when he said that they were “equidistant” from the Communists and the Congress. While they rightly refused to believe in violence as a necessary instrument of change, they were beset with internal discord on unsubstantial ideological grounds. How the Samyukta Socialist Party could be different from the Praja Socialist Party when their basic goal was the same, only the initiated could explain. Disunity in their ranks was reflected in their electoral performance. In the general election of 1967, the two factions were able to scrape together 36 seats in the Lok Sabha, while their strength in the House after the 1971 elections was reduced to a pitiful five. There was refreshing candour in the admission of the Praja Socialist Party, whose executive conceded in April 1962 that the electoral reverses of the Socialists proved their “failure to carry home to the voters the very vital differences” that separated them from the Congress. The Party recognised that “democracy cannot



function effectively unless there is an alternative focus of loyalty available to the people which could ultimately provide an alternative government”. With the formation of the Janata Party in 1977, the Socialists have ceased to exist as a separate group.

The Bharatiya Jan Sangh, founded by the late Dr. Shyama Prasad Mookerjee in 1951, was also no match for the Congress. It made its debut into national politics with the undeserved stigma of being a communal organisation. Dr. Mookerjee was clear in his statement on the composition and policies of his party. He said: “The Bharatiya Jan Sang emerges today as an all-India political party which will function as the principal party in opposition”. He wanted it to belong to all. “We have”, he declared, thrown our party open to all citizens of India, irrespective of caste, creed or community. While we recognise that in matters of customs, habits, religion and language, Bharat presents a unique diversity, the people must be united by a bond of fellowship and understanding inspired by deep devotion and loyalty to the spirit of a common motherland”.

The party laid great stress on national unity and strength, opposing all divisive tendencies at home and insisting on military strength based on industrial development. The sudden and premature death of its founder, a man of all-India stature, in 1953 was as much a loss to the country as it undoubtedly was to the party. Nevertheless, the rank and file of the Sangh worked zealously to popularise it both among the masses and the classes. Its representation in the Lok Sabha rose from 4 in 1957 to 14 in 1962 and 35 in 1967 but, to the astonishment of most people, it slumped to 22 in 1971. Its championship of Hindi as the national language scared the South away from it. Persistent propaganda against it succeeded in creating a durable impression among the secularists and the deprived sections of the population that the Sangh stood

for none except the upper class Hindus and the capitalists. Following its assimilation by the Janata Party in 1977, it lost its separate identity. It is now known as the Bharatiya Janata Party.

There were other parties, mostly regional, which did not matter at all in the weights and measures of national politics. The Dravida Munnetra Kazagam is largely a Tamilnadu-based party, the aims of which do not go beyond advancing the interests of the people speaking Tamil. Parochialism and self-glorification are its main preoccupations. It is implacably opposed to Hindi and asserts that attempts to popularise this language in the South are unabashed acts of aggression by the North! The Akali Dal of Punjab is interested only in the Sikh community. Master Tara Singh was its most uncompromising leader. In later years, it succeeded in winning a separate State for this community by compelling a second division of Punjab. There is not much to say about such parties as the Bharatiya Kranti Dal and the Samyukta Vidhayak Dal, whose sonorous names could not conceal their organisational weakness. Their leaders were noted neither for ability nor for steadiness of purpose. These parties came unheralded and retreated into oblivion without much notice. They were rootless but their existence encouraged defections, the bane of Indian political life.

It thus became imperative to create a cohesive non-communist alternative to the Congress in order to make parliamentary democracy meaningful in this country. India had adopted the British governmental system. It, therefore, became necessary to acquire some of the virtues which had ensured the success of that system in Britain. That country has no written constitution, but not long ago its wisest statesmen had a strong constitutional sense. "The strongest element in this sense", says a writer, "has been that British government is an affair of limits



and balances. The Minister as well as the subject is under an impartial law. Not only must the Government respect the law as it stands at any moment; in changing it, it must have regard to prescriptive rights and the organic nature of British society as well as natural justice or moral imperatives". This constitutional doctrine had a profound significance to the rulers of that land. It was indeed stronger and more pervasive "perhaps than in a country where it is laid down in a document and protected only by a court of law or a two-thirds majority. It was imbedded in the hearts and heads of the best of those who ran the system".\*

The British system also depended for its stability and efficiency on a well-regulated and well-tryed party system. The British party system is a product of the growth of free institutions in Britain and has developed into a method of providing government rather than becoming a means of expressing shades of opinion. Long ago, Macaulay described the two political parties of his time as the fore and hind legs of a stag. It is of the essence of the British party system that no group or party is allowed to acquire a monopoly of power. Churchill was acclaimed as the architect of British victory during the last war, but the end of it saw him stripped of all the panoply of power. Nor have the British parties made the mistake of treating decisions by majority as an absolute and unquestionable principle. They regard the Constitution as, to use Burke's famous words, "something more than a problem in arithmetic".

In all democracies, the working of the political system is the business of the parties. In Britain, the Tory and the Liberal parties and later the Labour Party have played a great part in evolving a sound and durable party system. Apart

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\* *The Prime Ministers: From Lord John Russell to Edward Heath* by E. J. Feuchtwanger, Volume II, George Allen & Unwin 1975, p. 203.

from the fact that it is through the parties that the people can rule, the two-party system in that country provides the best means by which the citizen is presented with the choice between alternative rulers. It is precisely for this reason that great importance is attached to the Opposition. “It is not untrue to say”, writes Sir Ivor Jennings, “that the most important part of Parliament is the Opposition in the House of Commons”.\* An institutional Opposition is necessary to subject the activities of those in power to regular scrutiny. Constructive criticism makes the rulers alert and aware of their shortcomings and may lead to the improvement of policies. Besides, a well-founded exposure of government actions and intentions provides a welcome release for the public’s frustration with their rulers in addition to keeping the people aware of the deficiencies of those in power. In Britain, the Opposition party plays its role diligently and mostly with a sense of responsibility, because “Her Majesty’s Opposition is essentially Her Majesty’s Alternative eager for office”.

A decade after national independence, some of the best minds in India began to think seriously how best the conditions such as those described above could be established in this country. Outside the Congress, every important section of opinion wanted that a viable alternative to the Congress should be created without any further loss of time. The credit for bringing such a project to fruition goes to M. R. Masani, a former Congressman and a Socialist leader who later adopted temperate politics as the philosophy of his life. He was opposed to the Congress Government’s “statist and communistic panaceas” and began to canvass briskly for the formation of a new party. He approached C. Rajagopalachari to take the lead, but the

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\* *Cabinet Government* by Sir Ivor Jennings, Cambridge University Press, 1951, p. 439.



latter at first pleaded ill-health and old age and referred Masani to Jayaprakash Narayan. The move was heartily endorsed by Jayaprakash Narayan, who attended a meeting convened by Rajaji but desired that the Grand Old Man should be at the helm. In May 1959, both Rajaji and Masani spoke from a common platform at Bangalore, which paved the way for the formation of the Swatantra Party in Madras on June 4.\*

Rajagopalachari at once became Swatantra's stellar attraction. His long life had been one of suffering and sacrifice for the liberation of his motherland. In this noble undertaking, he had been a close associate of Mahatma Gandhi and Jawaharlal Nehru. He had in addition achieved the distinction of being the first and last Governor-General of free India. Nehru wrote of him in 1940 that his "brilliant intellect, selfless character, and penetrating powers of analysis have been a tremendous asset to our cause". Rajaji was indeed acclaimed as the most astute intellectual among the elite of Indian nationalists. His solicitude for the underdog was never in doubt. Perhaps, it would not be incorrect to summarise his philosophy of life in terms of the Periclean concept which gives primacy to political liberty and social justice in the government of human affairs. No doctrine was repugnant to him so long as it was derived from these twin principles. He was opposed to imported ideas and ideals having no relevance to Indian conditions. He did not think that antipathy to free enterprise was in the country's best interests. India's greatest need was the creation of more wealth. He was convinced that the contribution of private individuals and

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\* While Masani gives the date of Swatantra's formation as June 8, 1959, Dr. Howard L. Erdman says that it was founded on June 4. See *A Decade of Close Association* by M. R. Masani in the Souvenir Volume, *Rajaji —93*, p. 131 and *The Swatantra Party and Indian Conservatism* by Howard L. Erdman, Cambridge University Press, 1967, p. 65.

institutions to this end was as precious as that of the State. He welcomed the Government's initiative in promoting public good but was averse to "statism" with its implication of stifling the liberty of the individual and the spirit of enterprise. He was, of course, firmly opposed to dishonesty in business and industry.

Munshi was clear in his mind that the Constitution carried the necessary provisions to promote such social and economic changes as the rulers and the people of the country wanted. It is true that the Directive Principles of State Policy were not legally enforceable, but the very fact that they formed an integral part of the supreme statute of the land and gave clear directions about the manner in which justice should be done to the common man invested them with great importance. The modern State, with a democratic set up, had necessarily got to be a welfare state so that it was unnecessary for a government to espouse any particular "ism". This is the reason why Munshi always insisted that the country must have a strong Centre. Such a dispensation would ensure not only the protection of the country from external aggression and internal disruption but also the adoption of the necessary measures for the social and economic welfare of the masses. Forces that tended to frustrate this goal should be suppressed. He feared that the creation of linguistic states had done great harm to the cause of national solidarity. He certainly did not advocate their abolition, but wanted that the policy of the country's principal government should be more pragmatic. He hoped that Swatantra would fulfil this need.

The Swatantra Party came into existence as a counterpoise to the ruling Congress, many of whose economic policies were anathema to it. The Congress resolution at Nagpur on joint co-operative farming hastened the advent of the new party. It was feared that the Government was aiming at the collectivization of



agriculture. Although during its short-lived career, Swatantra's mass appeal was meagre, it drew into its fold a large number of persons who had distinguished themselves in various walks of life. Its membership consisted of farmers' representatives, eminent political leaders, economists, educationists, retired civil servants, industrialists, many members of the former Princely Order and several others. N. G. Ranga, a peasant populist, is an Oxford-educated economist, who was a Congress stalwart in Andhra Pradesh. He is the founder of the Kisan Sabha, a peasants' organisation, and has frequently attended International conferences as an agricultural expert. He was elected to the Presidentship of Swatantra. An equally distinguished entrant into the new party was Bhailalbhai Patel of Gujarat who, though an engineer by profession, abandoned his career in 1942 in response to Sardar Patel's suggestion that he should do Gandhian constructive work in rural Gujarat. Affectionately known as Bhaikaka, he has founded a major modern residential college at Anand and won the gratitude and admiration of the people of Gujarat by encouraging the establishment of modern, highly efficient small-scale industries.

Rajagopalchari's appeal to the "old warriors of the Congress" to rally under the Swatantra banner met with good response. Dr. H. K. Mahatab of Orissa, K. Hanumanthaiya of Karnataka, Jai Narain Vyas of Rajasthan, S. K. D. Paliwal of Uttar Pradesh and Sardar Udham Singh Nagoke of Punjab were among the senior Congressmen who decided to make common cause with the new party. Masani and Ranga were seasoned parliamentarians but their defeat in the 1962 elections created a desperate need for finding an alternative leadership of the party in the national legislature. The names of M. S. Aney of Vidarbha and Prakash Vir Shastri were prominently mentioned for such leadership. In good old days, Aney had been the right-hand man of Lokmanya Tilak. He was a staunch Congressman

but had strong reservations about some of Mahatma Gandhi's principles and policies. He was acting Congress President in 1933. He was an experienced legislator and belonged to the school of C. R. Das, Pandit Motilal Nehru and Pandit Madan Mohan Malaviya. A fiercely freedom-loving man, he never hesitated to call a spade even when he was the Governor of Bihar, Aney welcomed the formation of Swatantra but preferred to remain in the Congress fold. Prakash Vir Shastri of Uttar Pradesh, an independent and assertive M.P., would certainly have made a valuable addition to the Swatantra group in the Lok Sabha.

N. C. Chatterjee, a former President of the Hindu Mahasabha and one of the ablest lawyers in the country, joined the new party and became its head in West Bengal. Professor M. Ruthnaswamy, who taught political science and rose to become the Vice Chancellor of Annamalai University, joined the new party with enthusiasm. He was one of the most prominent lay Catholics in the country. Another prominent non-Congressman to join Swatantra was J. B. Mohammed Imam of former Mysore State. He had been a member of the Muslim League till the country's partition in 1947. Later, he joined Acharya J. B. Kripalani's Kisan Mazdoor Praja Party. Dr. Erdman writes about him thus: "A very staunch secularist and anti-communist, Imam felt very strongly the need to consolidate the opposite forces in India and, more generally, to reduce the number of parties overall, with the ultimate objective of establishing an approximation of a two-party system in the country".\*

The party had also a sizable number of former civil servants, most of them with a distinguished record of service both during the British period and later. C. C. Desai was at one

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\* *The Swatantra Party and Indian Conservation* by Howard L. Erdman, p. 133.



time India's High Commissioner in Pakistan while H. M. Patel had held the most responsible administrative positions in the finance and defence ministries. He later became Union Finance Minister, when the Janata Party came into power in 1977. V. P. Menon was another able civilian whose tact and resourcefulness were of inestimable value to Sardar Patel in promoting the peaceful integration of Princely India. V. Narahari Rao was a retired Comptroller and Auditor General of India. Narayan Dadekar was another distinguished ex-civilian, who used his expert knowledge of finance and accounts with devastating effect in Parliament. In May 1970, he caused a countrywide interest in the salaries of Union Ministers by calling attention to their size. J. M. Lobo Prabhu, another former I.C.S. man, was happy to join Swatantra. He is a Christian. He noted with satisfaction that when he served in the Madras Province when Rajagopalachari was the Chief Minister there was no interference of any kind in the administration.

Many leading industrialists, including Sir Homi Mody, A. D. Shroff, Murarji Vaidya and Dharamsey Khatau, joined the party. A number of dispossessed princes, especially from Rajasthan, Madhya Pradesh and Orissa, made common cause with Swatantra. Although their principalities had been annexed and their ruling powers were taken away from them, some of them continued to retain the affection and esteem of their former subjects. This was particularly noticeable in areas where the popular ministries had failed to rise to the people's expectations. For instance, in the first elections, the Maharaja of Jodhpur won by a large majority against Jai Narain Vyas who forfeited his deposit. Vyas later won in a by-election and became the first Chief Minister of Rajasthan. "Whatever the situation might have been in the rest of India", says the former Maharani of Jaipur, "in former princely territories, people voted, when they had the

opportunity, from a sense of the age-old bond between the Indian ruler and his subjects. The actual political platform was a secondary consideration”. Commenting on her own husband’s popularity, she writes: “If anyone had needed the proof that the bond that existed between rulers and people in most of the princely states was deep and genuine, they had only to follow Jai around any day of the week in Jaipur”.\*

The party thus consisted mostly of intellectual and affluent classes, a good number of whom held liberal views on social and economic matters. Swatantra’s foundation document consisted of twenty-one articles which reflected Rajagopalachari’s assertion that his party stood “for the protection of the individual against the increasing trespasses of the State”. It objected to the policy of “statism”, to the “collectivization and bureaucratic management of the rural economy” and to “crippling taxation, abnormal deficit financing, and foreign loans which are beyond the capacity of the country to repay”. Notwithstanding the sobriety which marked the blueprint, it failed to win popular support. From the beginning, Swatantra was decried as the “richmen’s party” which played no small part in damaging its image. It was dismissed as a party of conservative rich peasants in the South, of a few finance capitalists and of feudal chiefs. Nehru condemned it as belonging to “the middle ages of lords, castles and zamindars”. He wondered what the party stood for since it harboured diverse elements in its ranks.

In politics, such attacks on rival parties are inevitable. The fact that so much notice was taken of Swatantra proved its effectiveness. Neither conservatism nor the doctrine of the

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\* *A Prince Remembers: Memoirs of the Maharani of Jaipur* by Gayatri Devi of Jaipur and Shantha Rama Rau, J. B. Lippincott Co., Philadelphia and New York, 1976, pp.230, 254.



inevitability of gradualness is sterile. Disraeli, the British statesman, said that we must be “conservative to conserve all that is good and radical to uproot all that is bad”. The tenability of the charge that Swatantra consisted of a congeries of disparate groups should also be assessed from the wider perspective of national necessity. The country was in desperate need of institutional opposition and this essential requirement Swatantra sought to meet. The fact that not all its members were like-minded was not its exclusive infirmity. The Indian National Congress has always been a composite organisation, harbouring many irreconcilable elements in its ranks. This is so in one of the greatest democracies in the world, namely, America. The American system is most prone to constitutional deadlocks but its excellent party system has successfully surmounted this problem, although the composition of both the Democratic and Republican parties is bewilderingly ill-assorted.

Sir Donald Brogan, who is a great authority on the American Constitution, says: “It is easier to understate, than to overstate, the doctrinal disunion of American parties, to create the impression that it is merely an exaggerated version of the doctrinal overlapping which marks all parties in all countries. But it is not merely a case of pink shading into red, of left overlapping the centre. In the American system, the right of the Democratic Party does not overlap the left, but the right of the Republican Party. The radicals of the Republican party are as radical as the radicals of the Democrats, the conservatives as conservative”.\* In Western Democracies, the primary aim of the political parties is to compete for power, irrespective of their social and economic convictions. The fact that they have

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\* *Government of the People : A Study of the American Political System* by D. W. Brogan, Harper, 1946, p. 38.

to struggle to attain their goal ensures that their policies are progressive, for otherwise the people will reject them. The party system also provides the best safeguard against any single party claiming the divine right to govern for ever. So, in countries like America and Canada, ideological differences are not of much importance, for the prize for which the parties fight is power. As Professor K. C. Wheare points out, “most of the time it has not been easy to say what divides them beyond the fact—and it is more important than is often realised—that one party was in office and the other party was out of office.....”#

Swatantra had, therefore, every right to aspire to become an alternative to the Congress. During the short period it was in existence, it certainly became a major political force in the country. Its achievements in the elections prove this. In the elections of 1962, its strength in the Lok Sabha was 18 and it shot up to 44 in the 1967 elections. The great infirmity of the party, however, was that its leadership was more distinguished than popular. It had no means of penetrating the countryside in order to be able to tap the reservoir of votes there. Masani admitted this fact when he said that his party had still to “build its own structure on a sound and more broadbased social basis. It has, in particular, to devote specific attention to massive sections of the people, like Harijans, Adivasis, small farmers, industrial and agricultural labour, shopkeepers, youth and women”.\* Since this was not done, the party suffered serious reverses in the 1971 elections when it could send only eight members to the Lok Sabha. Masani, who was then the party’s President, resigned from that office despite Rajagopalachari’s appeal to him to carry on. Swatantra ceased

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# *Federal Government* by K.C. Wheare, Oxyford, 1946, p. 87.

\* *The Swatantra Party and Indian Conservatism* by H. L. Erdman, p. 255.



to be a force to be reckoned with thereafter. Although Munshi was closely associated with its formation, he could not contribute much to its growth and durability. He was not a man of the masses, although his solicitude for them was undoubted. His death in February 1971 synchronised with the demise of the party he had helped to found.

## XVII

### The Man

MUNSHI WAS A HANDSOME PERSON. He was fair-complexioned, short, wiry and the very incarnation of energy. He was a man of deep piety but he also worshipped work. His dynamism and restless disposition drove him to participate in numerous activities, far beyond the range of men of normal vigour. His intellect was pellucid and it drew its sustenance from the springs of his natural instincts and romantic emotions. He bore deep affection for his father, Maneklal, and put his mother, Tapibehn, on the pedestals of a goddess. Maneklal, a non-Matriculate, was a government official, but he was endowed with noteworthy literary abilities and wrote a drama in verse. Munshi owed much to his mother, who remained his mentor both in the years of penury and later when he scaled new heights of affluence and recognition. Her belief in God was deep and unaffected. She had made a careful study of the scriptures of her religion, including the two Epics and the *Puranas*. She fed her little son with tales of the great deeds performed by the heroic figures in Ramayana and Mahabharata and thus instilled in him a deep and abiding admiration for the greatness and the glory of his motherland. She wrote her memoirs in which she recorded her devotion to God. Though a firm believer in the immemorial virtues of her ancient land, she never forgot that she was living in a changing world. When after the death of his wife, Atilakshmi in 1924, Munshi wanted to marry Lilavati, a widow, Tapibehn readily gave her consent. In



a conservative and diehard society, which viewed with repugnance the slightest departure from the hidebound traditions, marriage with a widow was undoubtedly the most memorable event. It can be truly said that Munshi would not have been able to make Lilavati his life's partner without the blessings of his courageous mother. He, however, retained tender memories of his first wife whose devotion to him during her lifetime was exemplary.

Munshi and Lilavati were married in 1926. They were the most remarkable couple. Lilavati, whose first marriage had brought her no happiness, was a highly talented and courageous woman. She was a brilliant and resourceful writer in Gujarati and struck out a new path in the literature of that language by publishing as far back as 1924 the pen-portraits of famous Gujarati writers and social workers. The articles, noted as much for their unconventionality as for their style, were published in *Gujarat*, a prestigious literary journal edited by no less a person than Munshi. The young lady, who could not possibly ignore the contribution of the Editor to Gujarati literature, minced no words in her sketch when calling attention to his idiosyncrasies. She noted that he was endowed with "sparkling intellect" but burdened with an "unconcealed egotism." She, however, softened the blow by adding : "Deep underneath this hard crust of intellect is concealed an under-current of love flowing from a heart. Someone may have tasted it, but the waters of the spring are not accessible to all". The translation that has been handed down to us does poor justice to the original. Has it not been said that one has to translate Cicero to despise him?

Lilavati Munshi's literary talents are revealed in all their amplitude in her works, which include a historical novel called

*Kumaradevi*, character sketches and essays on a wide variety of subjects. Munshi regarded her as much more than a wife. She was his inspirer, comrade and the staff of his life for full forty-five years, the two merging into each other as *avibhakta atma* or undivided soul. Besides, making a notable contribution to Gujarati literature, Mrs. Munshi fully participated in a number of cultural, social and literary activities. She was a member of the Bombay Legislative Assembly from 1936 to 1952 and later moved on to the Rajya Sabha where she made her mark through her studied speeches on important national issues. She was a tower of strength to her husband in his multifarious activities. He owed his success as Union Food Minister not a little to her since she laboured most indefatigably to popularise noncereal foods as a means of tiding over the national food crisis. She was only second to him in building up the Bharatiya Vidya Bhavan into a great national and international cultural organisation. She died on January 6, 1978, at the age of seventy-nine.

Munshi's indebtedness to the three women who influenced his life is best stated in his own words. He wrote: "My life would not have been what it was and is without the three women who have given me love and devotion in unbounded measure. The first gave me birth and presided over my life during its first forty-nine years with a rare wisdom. The second shared my early years of struggle and success with a unique self-surrender. And the last has partnered my struggles and achievements with a spirit of unity which I dreamt of in fiction, but little hoped to realise in life. In giving her to me, God fed my hungry soul and made the course of years a pilgrimage of joy. They have, each in her own way, surrounded me with understanding and encouragement; to them must go the credit for whatever I have been or done".



There were also others who profoundly influenced the course of Munshi's life. The virile message of Swami Dayanand Saraswati, founder of the Arya Samaj, was a constant source of inspiration to him. The Swami boldly proclaimed the paramountcy of the Vedas and the Upanishads in the cultural and spiritual life of the Hindus and called upon them to break the shackles of superstition and meaningless social inhibitions and strive to regain the greatness of their Aryan forebears. It was from Dayanand and Sri Aurobindo that Munshi drew the inspiration to work for the restoration to the country its early and noble traditions, unsullied by ritual and dogma. Aurobindo also stimulated in him a passionate urge to struggle for national liberation. Munshi was also attracted towards the rationalism of Bankim Chandra Chatterji, a towering intellectual of his time. The celebrated Bengali novelist also roused his romantic imagination "to go in search of new worlds". Not only leaders of recent times, but great historical figures, especially of the Chalukyan age, inspired and illumined his attitude to life. They were Munjal, Kak, Khengar, Ranak, Manjari, Chaula and Bada Maharaj, who brought the golden age to Gujarat.

Munshi was not a political extremist, while he made no compromise on the issue of national freedom, he was not prepared to turn a blind eye on the good points in the British Raj. He could not ignore the fact that the ideas of democracy, nationalism and responsible government came from the West through Britain. As a member of Dr. Annie Besant's All-India Home Rule League, founded in September 1916, he worked for the country's freedom, with Jinnah as his political leader. With Lokmanya Tilak associated with this organisation, it could not be dismissed as a hole and corner body. Munshi's collaboration with Jinnah could not, however, last long, especially after the advent of Mahatma Gandhi to national politics. Before the parting of the ways came, Jinnah was the

hero of the educated classes of Western India. He had played no small part in bringing the Muslim League closer to the Congress. When he eventually became a cheerless and cold blooded politician, turning his back on everything he had stood for during the best part of his life, Munshi bade a final good-bye to him.

Munshi gladly accepted Gandhi's political leadership because he saw in the Mahatma a man of action *par excellence*, with the capacity to rouse the dormant energies of India's millions and harness them to purposeful action. This was not a small asset in a country whose people were not only disarmed but demoralised. Centuries of bondage and grinding poverty had inured them to indifference and inaction. There were certainly many serious grievances against the foreign regime, but the illiterate masses could understand only those that hurt them most. Gandhi proved the uniqueness of his leadership by winning countrywide support even for local and relatively unimportant grievances. Whether it was Kheda Champaran or Bardoli, he demonstrated the strength of mass action.

What struck Munshi and others most was that, although he possessed such immense strength, Gandhi was perhaps the mildest among men. It was his firm conviction that virtue should be practised for its own sake without any expectation of reward. This stoical idea was extraordinary because morality has no relevance in politics. Munshi was further drawn towards Gandhi because he could see that the Mahatma had purged his heart and mind of all hatred and anger. In his eyes, as in the eyes of most Indians, Gandhi had descended on the Indian political scene as a new Messiah.

Nevertheless, thanks to his keen perception and sense of realism, he did not accept every policy and programme of the Mahatma as practicable or infallible. He had strong reservations



on non-violence as an absolute principle. Its unsuitability was vividly brought home, especially in periods of communal violence. Munshi was not prepared to appreciate the correctness of the Gandhian prescription that the Hindus should agree to make unlimited sacrifices, including the offer of their lives in millions, in order to dissuade the Muslim communalists from treading the path of separatism.

Munshi's resignations from the Congress arose entirely from a crisis of conscience and were prompted by no other consideration. His *Akhand Hindustan* campaign, based on the assertion that the entire Indian sub-continent was the native soil of all Indians, irrespective of their creedal affiliations, could not possibly be conducted by him as a member of the Congress. When vital national issues were at stake, he did not number party loyalty among the ten commandments.

Whether Munshi was in the Congress party or out of it, the ties that bound him to the Mahatma remained indissoluble. Gandhi had great regard for the younger man for his outstanding abilities as a lawyer, as an organiser and as a creative writer. Even on non-political subjects, he had his own reservations about Munshi's writings, but it was impossible for him to withhold his admiration for the boldness and the fertility of the writer's imagination and the superb style in which he could clothe it. The Mahatma was himself a distinguished writer of Gujarati prose and he could readily see a similar merit in other's works. Munshi has written a good deal about his closeness to Gandhi. During his great campaign against untouchability, Gandhi received much valuable material from Munshi in support of his cause on the basis of scriptural authority. There was indeed nothing formal in the relations between the two. Munshi and the members of his family often visited the Mahatma and stayed with him in his Ashram at Sabarmati. When Gandhi went

to Bombay, Munshi was among his frequent visitors and often accompanied him in his morning walks. There were many occasions when Gandhi gave him difficult and delicate assignments, such as the defence of some eight persons in the Princely State of Ratlam who had been accused of seeking to “overthrow the lawfully established government” of the Maharaja. Gandhi showed his appreciation of Munshi’s literary talents by writing a Foreword to the latter’s book *Gujarat and its Literature*, published in 1935.

The relations between Sardar Patel and Munshi were as between two brothers. A shrewd judge of men, the Sardar had great confidence in the sagacity of the younger man. Munshi admired him for his pragmatism, for his superb organising abilities and for his masterful personality. Long association and experience had convinced him that the Sardar was a man of few words but of mighty deeds. It was mostly at his instance that Munshi was given important work in the Constituent Assembly. Justice N. H. Bhagwati writes about the two thus: “Sardar as a hard-headed politician and a patriot, and Munshi as a student of history and a legatee of that emotional worship of the Motherland which he inherited from his early association with Sri Aurobindo, alike realised that the destiny of the country lay in its being united and strong”.

A good deal of mud was flung by political opportunists at both the Sardar and Munshi, accusing them of communalism. There could not be a greater falsehood than this. Such a calumny was circulated against them because they were unsparing in their exposure of narrow-mindedness in others. Munshi was close for decades to Jinnah, the future founder of Pakistan, and religion played no part in their relationship. A Muslim art connoisseur, Chandabhai Muchhala by name, was a permanent resident in the Munshi family was



treated as one of its own members till his death. Munshi's robust secularism was the best safeguard against his lapsing into intolerance. Stating categorically that Indian culture was much more than Aryan culture, he declared: "We cannot repudiate the Gandhara art because of Greek influence. We cannot disown the Taj Mahal because of its Islamic inspiration. We cannot reject the art, the manners, the institutions, which Hindu-Muslim adjustments have given birth to. We cannot even throw off the Western influence and institutions which have grown into our life".

Munshi wrote that he loved his profession as a lawyer. He had every reason to do so. He had gone to Bombay in 1907 in utter penury and four years later joined the Bar there when it abounded in legal giants. It required more than ordinary abilities for a young and diffident man from the mofussil to move to the front rank in a highly competitive profession. He was able to achieve this feat because he was endowed with superlative intelligence, to which he harnessed enormous industry. He was subtle and agile and was always thorough with his briefs. His clients had complete confidence in his capacity to do full justice to their cause. When dealing with highly, complicated cases, he sometimes disappeared from his residence, his whereabouts being known only to a few, in order to discover in a calm place the crucial law point as the foundation for his argument. His wide knowledge of law was of great help to him in winning the cases. He built up an extensive practice and made large sums of money but he refused to succumb to the seductions of wealth and prosperity. He engaged himself in politics, in literature and in many other activities with the same zest as he showed in the pursuit of the legal profession. Even so, he succeeded in winning a distinguished position among the eminent lawyers of India. "His work at law," wrote M. C. Setalvad, "so outstanding and distinguished, would

perhaps have been far greater and more remarkable if his prime loyalty had been to the profession”.

It was in the fitness of things that a man of Munshi's stature as a lawyer was called upon to play an active part in the framing of free India's constitution. He had equipped himself thoroughly for the new job by collecting a good deal of literature on the systems of government that obtained in various countries. It was Munshi's ardent desire that the system of the Indian government should be a model of political wisdom. It was not sufficient to create democratic institutions, but provision should be made for ensuring their efficient working. Only then would the promises made to the downcasts and the outcasts of society be redeemed. He was a firm believer in the well-tryed doctrine that if laws were good, morals would be good. He was also convinced that only an honest and knowledgeable citizen could make a good legislator. By adopting a highly sophisticated system of government, based on democracy, India had launched a bold experiment in her history. He wanted it to succeed. This is the reason why he ceaselessly advocated a strong Centre. He was certainly not a rabid centralist and wanted that the constituent states should enjoy a large measure of internal autonomy, but he advocated the investment of decisive powers in the principal government as a safeguard against internal disruption and external aggression. He also pleaded that the President of the Union and the Governors of States should not be treated as mere ornamental figures but as effective functionaries. With the people not inured to democratic principles and practices and in the absence of an organised opposition party to provide an alternative government, he feared that unchecked parliamentary authority was apt to lead to undersirable results. He, therefore, urged that the President at the Centre and the Governors in the States should be untrammelled in functioning as the ultimate authority on occasions



when their intervention was considered imperative in the national interests.

Munshi gave much thought to the language question. In this polyglot county it was most difficult to make out a decisive case on behalf of any language as the principal medium of administration and communication. After a good deal of reflection and after prolonged deliberations with fair-minded and knowledgeable persons, he came to the conclusion that Hindi deserved this distinction. Having made up his mind about it, he became its most eloquent advocate. He was equally anxious that the regional languages must be fully developed. A great writer in Gujarati, it was impossible for him to adopt any other attitude. He also believed in the cultivation of English as the most suitable international vehicle of thought and expression. There were many discerning Indians who held similar views, some of them with a deeper conviction. For instance, C. Rajagopalachari said: "English language is the greatest gift of Goddess Saraswati to India". Munshi was, however, uncompromising on the question of developing Indian languages. He had seen how excessive devotion to English had weaned many Indians from their mother tongue which had ceased to be their "experienced" language. He was convinced that a sound grounding in one's own mother tongue was necessary for gaining mastery over other languages.

Munshi proved his mettle as an administrator both in Bombay and in New Delhi. H. M. Patel has recorded the conversation he had overheard between two officials when Munshi was the Union Minister for Food and Agriculture. Their talk ran thus : "What is it that makes one so fond of Munshi? It is not as if he is always talking sense". "But even when he is wrong, and persistent in his wrong-headedness, you like him. How do you explain that?" Perhaps, the officials did not discuss the answers or Patel did not pause to overhear them further.

Munshi was liked by his officials because he did not throw his weight about and was not dogmatic about his views. He knew how difficult it was to administer a modern State. The volume of work which a single department in a Ministry has to transact is so vast and varied that only those equipped with specialised knowledge and training can deal with it competently. As Minister, it was certainly his right and responsibility to lay down policies but it was prudent to leave their execution to the officials. He believed in “remote control”, that is to say assume responsibility for the general direction of his Ministry’s affairs without interfering with its day-to-day working. He reposed full confidence in his subordinates and readily accepted suggestions from them if they were sound. He was popular with them because he never let them down, taking the blame upon himself if anything went wrong.

Munshi was much more than a lawyer, politician or minister. He was a gifted writer. His first social novel, *Verni Vasulat* (Revenge Accomplished), published in 1913, worked like an enchantment on the Gujarati-reading public. Novels, social and historical, short plays, essays and various other forms of literature, except poetry, flowed ceaselessly from his pen. The source of his inspiration was the abundant scriptural and secular literature of his own land and the works of distinguished Western writers. Many of his writings have been translated into English and into a number of Indian languages. An outstanding feature of the fiction created by him is that it tells the story interestingly, creates plenty of dramatic situations, makes the dialogue gripping, and invests the characters with life and vigour. “I have”, he says with remarkable modesty, “remained first and foremost a story-teller, not a moralist”. He also made an outstanding contribution to Gujarati drama by pioneering its rejuvenation. He wrote a good deal in English, a sizable portion of which will survive. What place he is entitled to in the kingdom



of Gujarati letters only experts can say, but, from all accounts, it is distinguished and durable.

Perhaps, Munshi's most outstanding contribution to the cultural renaissance of India is the founding of the Bharatiya Vidya Bhavan in November 1938. He considered it necessary to establish this institution so that India's ancient learning, sacred as well as secular, which had welded the diverse elements of the Indian population into a single community, should not be allowed to languish or suffer eventual extinction. He wanted to revitalize this heritage by bringing it into close alliance with modern knowledge. His bold conception, stimulated by his gifted wife, Lilavati, and its brilliant execution have won for him grateful thanks from Indians of all classes and from eminent foreigners. In recent years, there has been a rapid expansion of the Bhavan's activities, both inside the country and abroad.

Nehru and Munshi had many shared views except that they differed occasionally in politics. The Prime Minister was greatly pleased with Munshi's labours in the cause of the country's cultural revival. "During these few years", he wrote, "the Bhavan had served Indian culture with ability and perseverance and has made truly remarkable progress in many aspects of Indian culture. The Bhavan's past record gives assurance that this progress will continue in the future also, and the Bhavan will create fresh records in the service of India's culture". He added that it was "a very fine institution". The Prime Minister took keen and sustained interest in the Bhavan's activities, visited its headquarters in Bombay and inaugurated its Delhi branch in 1957.

Munshi was widely respected and admired for his versatility and varied achievements. India's first President, Dr. Rajendra Prasad, declared : "I would say that I bow to him for his versatility". C. Rajagopalachari, who regarded munshi as his

younger brother, invariably stayed with him when he visited Bombay. In a brief message on the occasion of the seventy-fifth birthday of younger man, he recalled Munshi's "wonderful, unique, dynamic personality" and his "services in the cause of Indian culture, Indian freedom, and good administration". Striking a personal note, C. R. said : "He has been a most affectionate and tolerant friend to me personally".

Munshi was an extremely lovable person. He was certainly proud of his achievements but he never boasted about them. He could not stomach empty-headed and pretentious fellows, but he avoided rudeness while telling them off. Having himself suffered the pangs of penury in his early years, he never forgot the anguish of the hungry and the destitute. He was a shrewd judge of men and was always willing to listen to the other man's point of view. His health was not robust, but even in the penultimate stage of his earthly existence his mental faculties remained as sharp as before. His interest in the numerous institutions he had built up never flagged, the Bharatiya Vidya Bhavan always claiming his first attention. He had no money when he started it, but he was a firm believer in the dictum that good and great causes would not suffer for want of resources. He never stretched his hand in vain for donations.

The Bhavan today has developed like a mighty banyan tree, with its branches spreading in all directions. It has set out to carry India's hoary message of peace and tolerance to the four corners of the world. Munshi was a multifarious man who enriched many departments of India's national life, but the Bhavan will remain the finest and the most durable monument to his memory. He passed away on February 8, 1971, when he had just entered his eighty-fourth year. He had no overweening political ambitions; ministership was only an interlude in a busy and varied life. His achievements in the field of culture and literature are so massive and towering that his name will live.









**K.M.MUNSHI** was a frontline freedom fighter, closely involved with the Indian national movement. This book explores Munshi's engagement with the Indian national movement. It also delves into the context that preceded the mass movement during the freedom struggle of India.

Based on a variety of sources, the contributors attempt to historicize a nationalist icon. In the process, the reader is presented with a holistic picture of a leading nationalist personality, including his contradictions and ambiguities. In this sense, the different contributions in this book question the 'received wisdom' associated with Munshi.

This book would be of use to those interested in the Indian national movement and the manner in which it intersected with a range of social, cultural and political issues. The 'non-specialist' reader, too, will be interested in the way in which the book makes both Munshi and his context accessible.



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**MINISTRY OF INFORMATION AND BROADCASTING**  
**GOVERNMENT OF INDIA**

Price : ₹ 205.00

**PD**  
**BN**

ISBN 978-81-230-1917-8

BMI-ENG-REP-013-2014-15

